



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, WEDNESDAY, JANUARY 12, 2022

No. 8

Senate

(Legislative day of Monday, January 10, 2022)

The Senate met at 12:30 p.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who causes the morning stars to sing together, Your presence fills us with joy. Show our lawmakers the path that leads to life. As they strive to serve You faithfully, guide their steps to the destination You choose.

Lord, remind them that You know their hearts and hear their requests for help. Continue to be their refuge and strength, a very present help in troubled times. Keep Your people safe and surround them with the shield of Your favor.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Amitabha Bose, of New Jersey, to be Administrator of the Federal Railroad Administration.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. HICKENLOOPER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

BIDEN ADMINISTRATION

Mr. MCCONNELL. Mr. President, 12 months ago, a newly inaugurated President Biden stood on the west front of the Capitol, and here is what he had to say:

My whole soul is in this: bringing America together, uniting our people, uniting our nation.

Yesterday, that very same man delivered a deliberately divisive speech that was designed to pull our country further apart.

Twelve months ago, this President said we should see each other not as adversaries but as neighbors. Yesterday, he called millions of Americans his domestic "enemies."

Twelve months ago, the President called on Americans to "join forces,

stop the shouting, lower the temperature," but yesterday, he shouted that if you disagree with him, you are George Wallace. George Wallace? If you don't pass the laws he wants, you are Bull Connor. And if you oppose giving Democrats untrammelled one-party control of the country, well, you are Jefferson Davis.

Twelve months ago, this President said "disagreement must not lead to disunion." Ah, but yesterday, he invoked the bloody disunion of the Civil War—the Civil War—to demonize Americans who disagree with him. He compared—listen to this—a bipartisan majority of Senators to literal traitors. How profoundly—profoundly—un-*Presidential*.

Look, I have known, liked, and personally respected Joe Biden for many years. I did not recognize the man at the podium yesterday.

American voters did not give President Biden a mandate for very much. He got a tied Senate and negative coat-tails in the House—the narrowest majorities in over a century. The President did not get a mandate to transform America or reshape society, but he did arguably get a mandate to do just one central thing that he campaigned on. Here is what that was: Bridge a divided country; lower the temperature; dial down the perpetual air of crisis in our politics. That is the one central promise that Joe Biden made. It is the one job citizens actually hired him to do. It is the one project that would have actually been consistent—consistent—with the Congress that voters elected. Ah, but President Biden has chosen to fail his own test.

The President's rant—rant—yesterday was incoherent, incorrect, and beneath his office. He used the phrase "Jim Crow 2.0" to demagogue a law that makes the franchise more accessible than in his own State of Delaware. He blasted Georgia's procedures

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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regarding local election officials while pushing national legislation with almost identical language on that issue.

The President implied that things like wildly popular ID laws are—listen to this—“totalitarian.” Totalitarian? Ironically, on the same day, Washington, DC’s Democratic mayor told citizens to bring both a photo ID and a vaccine card anytime they leave the house.

The President repeatedly invoked the January 6 riot, while himself using irresponsible, delegitimizing rhetoric that undermines our democracy.

The sitting President of the United States compared American States to “totalitarian states.” He said our country will be an “autocracy” if he does not get his way—if he does not get his way.

So the world saw our Commander in Chief propagandize against his own country—his own country—to a degree that would have made Pravda blush. There was no consistent standard behind anything the President said. He trampled through some of the most sensitive and sacred parts of our Nation’s past. He invoked times when activists bled and when soldiers died, all to demagogue voting laws that are more expansive than what Democrats have on the books in his own home State.

Georgia has more days of early voting than Delaware or New York. Georgia has no-excuse absentee voting, which Delaware and New York do not have. If Georgia or Texas presents Jim Crow emergencies, then so do a whole lot of Democratic-run States.

The Senate Democratic leader has gone on cable TV saying Georgia “is greatly restricting or eliminating early voting.” That is a lie, provably false. Georgia has more early voting than New York. The Democratic leader has tried to fearmonger about one rural Georgia county that condensed multiple voting locations into one—one rural Georgia county. Well, the county is overwhelmingly red. They were clearly not involved in trying to suppress Democratic votes—70 percent Republican in that one county in 2020.

So take a step back for a minute. President Biden’s story is that democracy is on death’s door, but he spent 9 months chasing a reckless taxing-and-spending spree before addressing it. It must not be that much of an emergency. Citizens are meant to believe a return of Jim Crow is on the table, but this was only President Biden’s sixth priority after he was blocked from spending \$5 trillion on windmills and welfare. Democrats’ own behavior refutes their false hysteria.

Twelve months ago, the President said that “politics need not be a raging fire destroying everything in its path.” That was just 12 months ago, but yesterday, he poured a giant can of gasoline on the fire.

Twelve months ago, the President said every disagreement doesn’t have to be a cause for total war, but yesterday,

he said anyone who opposes smashing the Senate—smashing the Senate—and letting Democrats rewrite election law is a domestic “enemy” and—listen to this—a traitor like Jefferson Davis.

One week ago, President Biden gave a January 6 lecture about not stoking political violence—1 week ago. Yesterday, with the world’s largest megaphone, he invoked the literal Civil War and said we are on the doorstep of “autocracy.” He talked about domestic “enemies”—rhetoric unbecoming of a President of the United States.

In less than a year, “restoring the soul of America” has become this: Agree with me or you are a bigot. Agree with me or you are a bigot—from lowering the temperature to invoking totalitarian States and the Civil War.

This inflammatory rhetoric was not an attempt to persuade skeptical Democrat or Republican Senators. This whole display—this whole display—in fact, you could not invent a better advertisement for the legislative filibuster than a President abandoning rational persuasion for pure demagoguery. You could not invent a better advertisement for the legislative filibuster than what we have just seen: a President abandoning rational persuasion for pure—pure—demagoguery.

A President shouting that 52 Senators and millions of Americans are racist unless he gets whatever he wants is proving exactly why the Framers built the Senate to check his power.

This whole display is the best possible argument for preserving—preserving—the Senate rules that extend deliberation, force bipartisan compromise, and let cooler heads prevail. Nothing proves it better than this episode. It offers a perfect case study in why Senator Biden was right about the filibuster and President Biden is wrong.

One respected scholar explained it this way:

The smallest majority we’ve ever seen in our politics is trying to change the rules for how people get elected in every [single] state. . . . That’s just about the best argument for the filibuster you could possibly imagine.

The citizens of the greatest country in the world deserve for their elected officials to treat them like grownups. The adults of America deserve to hear from the adults in Washington, DC.

I will close with some basic truths.

Obviously, our country is more divided than it should be, no doubt.

In recent years, I have vocally criticized people across the political spectrum who have sought to legitimize elections when they win and delegitimize democracy when they are polling badly or when they lose.

I criticized the top Democrats’ hysteria after 2016, when their rhetoric had 66 percent of Democrats across America falsely convinced that Russia had hacked our voting machines and changed the tallies. Sixty-six percent of Democrats thought that after 2016. I

criticized Speaker PELOSI and House Democrats who spent the runup to 2020 hyping conspiracy theories and suggesting the election would presumptively be illegitimate if their side lost.

In December 2020 and January of last year, our side of the aisle defended our constitutional process despite political pressure, and we had, of course, a literal mob. But now it is President Biden and Leader SCHUMER and other Washington Democrats who don’t like their poll numbers. So they are reversing their tune yet again. The people who spent November 2020 through January 2021 preaching sermons about the strength and the sanctity of our democracy are now undertaking to delegitimize the next election in case they lose it.

We have a sitting President—a sitting President—invoking the Civil War, shouting about totalitarianism and labeling millions of Americans his domestic enemies.

We have a Senate Democratic leader who now frequently calls American elections “a rigged game.”

Look, this will not be repaired with more lies, more outrage, and more rulebreaking.

Unfortunately, President Biden has rejected the better angels of our nature. So it is the Senate’s responsibility to protect the country. This institution was constructed as a firewall against exactly—exactly—the kind of rage and false hysteria we saw on full display yesterday. It falls to the Senate to put America on a better track. It falls to us. So this institution cannot give in to dishonorable tactics. We cannot surrender to this recklessness. We have to stand up, stand strong, protect the Senate, and defend the country.

The PRESIDING OFFICER. The Senator from Texas.

FILIBUSTER

Mr. CORNYN. Mr. President, I want to applaud the Republican leader, the Senator from Kentucky, for saying what needed to be said. If there is a unique role for the U.S. Senate in our system of government, it is to be the place where debate and deliberation, common sense and compromise, prevail over demagoguery.

And, unfortunately, what we heard from President Biden yesterday was sheer demagoguery. And I agree that it was not only unbecoming of the President of the United States; it was, frankly, embarrassing. Many of us were embarrassed for him that he would resort to that sort of rhetoric, particularly when Members of his own political party are not on board asking him to do what he wants to do, which is to break the rules of the U.S. Senate.

So until this debate began, many Americans probably didn’t think twice about something called the filibuster. And as we have all tried to explain why it is important and what role the filibuster plays in our system of government, I think it is perhaps best described as a mechanism to force us to

do what doesn't come naturally, and that is to build consensus, to work together in the best interest of the country, and to pass laws that will endure, not those that will be reversed with the new majority, with the next election.

When you think about a country like ours, with 330 million people, as diverse as it is, it just makes sense for us to have fulsome debate and deliberation, because the risk of making mistakes, of unintended consequences, is great, and there is no body in America that can fix mistakes made by the U.S. Congress.

So deliberation is an important function, and that is why forcing us to do what doesn't come naturally, which means to work together and build consensus to get 60 votes to cut off debate, is such a critical role.

Well, unfortunately, our colleagues have—according to the Democratic leader and the majority leader—our colleagues have chosen to leave bipartisanship and tradition at the door in order to grow their own political power.

Make no mistake, they face an uphill battle. Two of our Democratic colleagues have stated their outright opposition, and I imagine others who hold the same view who have not wanted to catch the slings and arrows that have made their way toward the Senator from Arizona and the Senator from West Virginia.

There are many other Democratic Senators who hold the same concerns in private. Still, the majority leader is determined to light the Senate rule book on fire.

As this Chamber considers such an extreme move, I want to share some wise words from one of our former colleagues. That would be former Senator Joe Biden. The current President served in the Senate for three and a half decades and held a deep reverence for the rules and the traditions and the norms that govern this body—at least, he did. Back in 2005, the Senate was weighing whether or not to eliminate the 60-vote requirement for certain judicial nominees. At that time we had a Republican majority and a Democratic minority. The shoe was on the other foot. But Senator Biden—or then-Senator Biden—was absolutely clear about his feelings on the matter. He said: Eliminating the filibuster—the so-called nuclear option—is “an example of the arrogance of power”—“the arrogance of power.”

Now, that is not an ambiguous statement. That is not a qualified statement. That is not a contingent statement. That is a declarative statement about what eliminating the filibuster is—an arrogance of power.

Back in 2005, then-Senator Biden believed that changing the rules to benefit yourself or your political party is an example of that arrogance of power. And he called it “a fundamental power grab by the majority party.” But now President Biden obviously holds the exact opposite view. In other words, he has done a spectacular flip-flop.

Now that his party is the one in power, he is not only OK with the idea of this arrogance of power, this power grab, he endorses it. He advocates for it.

He is willing to use some of the strongest rhetoric I have ever heard come from a President of the United States to condemn it, to condemn the filibuster and endorse its destruction. In Georgia, yesterday, President Biden made his new position on the filibuster crystal clear. He said: “Let the majority prevail.”

The move he once called “a fundamental power grab” is now his new legislative strategy. And President Biden isn't the only one to have done a complete flip-flop when it comes to the filibuster, when it is opportunistic, when it is convenient, when it is expedient.

Senator DURBIN, the Democratic majority whip, also used to have a deep respect for the traditions of the Senate. He said that, if the filibuster were eliminated, “that would be the end of the Senate as it was originally devised and created going back to our Founding Fathers.” But his respect for these traditions, these norms, these rules dissipated when it became a political inconvenience.

Last year, Senator DURBIN, the Senator from Illinois, said the filibuster “has become the death grip of democracy.”

I am not sure if he is proud of it now, but Senator SCHUMER was also an advocate for the filibuster in the not-so-distant past. Just a few years ago—again, when the shoe was on the other foot and Democrats were a minority, and Republicans were a majority—he said we should “build a fire wall around the legislative filibuster” to protect the Senate from “the winds of short-term electoral change.”

Well, today, for sure, the winds have shifted. The Senator who once supported the filibuster now finds himself as the majority leader, trying to appease the most radical elements in his political base.

Where does he stand on the filibuster today? Well, he is whipping votes to eliminate it. Democrats who once hailed the filibuster as a vital stabilizing force in our government now call it a weapon of mass destruction, a mockery of American democracy, and even a Jim Crow relic.

Let's not forget that, just about a year and a half ago, Democrats used this Jim Crow relic to block an anti-lynching bill. That is right. I was here on the Senate floor when the now-Vice President of the United States, KAMALA HARRIS, and CORY BOOKER from New Jersey, our colleague from New Jersey, participated in a filibuster to block a motion to proceed to a police reform bill that contained their own anti-lynching bill in it. Shocking to me. They didn't even want to begin discussion of the bill—their own anti-lynching bill.

Well, now that Democrats control all levers of government, they have tossed

their previous convictions in the trash. Their agenda, securing a result that will result in a permanent partisan advantage, that is their sole focus. Our colleagues seem to have been blinded by the possibility of short-term victories, and they are ignoring the longer term repercussions, because, in the Senate, what goes around comes around.

Let's say that Democrats muster enough support to take a wrecking ball to the Senate rules. They blow up the rules and pass this so-called election bill with only 50 votes plus the tie-breaking vote of the Vice President. They would likely spend the rest of the year checking other items off of their radical wish list. This idea about a carve-out for one kind of bill is just malarkey, to use the President's term.

They would clearly use this to craft new laws to curb Second Amendment rights, expand access to abortion, and decimate important industries in the United States like the oil and gas industry. At the same time, the President is asking for Vladimir Putin and OPEC to pump more oil because the price of gasoline has gone through the roof.

Well, our colleagues like the sound of that—eliminating the filibuster—but they aren't prepared for what inevitably would come next.

The great genius of our system and of our country is that power is not absolute, and, ultimately, all power lies in the hands of we the people, and we are all directly accountable to the people we represent.

If voters reject Democrats' power grab and hand Republicans the Senate majority, Democrats would, if they were successful today or tomorrow, have zero impact on the legislative process. You could just ignore Democrats and plow your way to a certain result. They would have no way of stopping legislation they absolutely abhor from becoming law, and the States they represent, represented by Democratic Senators, those Senators would be irrelevant. Think about that.

All of us worked hard to get here. All of us are proud of the fact that our voters elected us to represent them in this most august body known on the planet, but if you happen to be in the minority, under the current position taken by the President and the majority leader and our Senate Democratic friends—almost all of them—those Senators elected in blue States would have zero impact. They might as well not even show up.

If voters reject the Democrats' power grab and hand Republicans the majority, they would have no say in the legislative process, if they are successful.

A Republican-controlled Senate could pass new laws to protect the right to life, secure the border, expand and enhance Second Amendment rights under the Constitution, and much, much more.

If that were to happen, would Democrats stand by the rules change that they are debating and advocating for

today? Would they stand by their decision to silence the minority party and minority Senators? Would they agree with President Biden's statement, "Let the majority prevail"?

Well, we don't have to wonder because we have seen this movie before. Our colleagues have already expressed regrets over the previous filibuster carve-out.

Contrary to the strong statement Democrats made in 2005 advocating for the filibuster to be maintained, they started chipping away at it just 8 years later.

In 2013, Democrats eliminated the 60-vote threshold for judicial nominees, and the move has haunted them for nearly a decade and resulted in the confirmation of three Supreme Court Justices during President Trump's term of office.

Back then, when they invoked the nuclear option, Leader MCCONNELL said:

You will regret this, and you may regret this a lot sooner than you think.

Reflecting on that moment a few years ago, Senator BENNET, one of our Colorado colleagues, was clear. He said Senator MCCONNELL was right.

Under the previous administration, the Republican-led Senate confirmed more than 230 conservative judges, all thanks to the Democrats' elimination of the filibuster when it comes to nominations.

The senior Senator from Colorado isn't the only one who has shown remorse after ending up on the losing side of that rules change. Senator TESTER, our colleague from Montana, said voting on that rule change was "probably the biggest mistake [he] ever made."

Senator SHAHEEN, our colleague from New Hampshire, concluded that "it has not served us well."

Even Senator SCHUMER, the majority leader, has said that "I wish it hadn't happened."

And as a reminder, this is only in reference to Federal judges. These individuals hold tremendous power, no mistake about it.

But now we are talking about rule changes that stipulate how laws are made, not how nominations are considered. This is the so-called legislative calendar, and what happens in the wake of this change would impact every single family across the country.

When Republicans, inevitably, at some point, take the majority again, it would be a simple thing, with 51 votes, to dismantle all of the laws that our Democratic colleagues have passed if they were to eliminate the filibuster. Then, of course, when Democrats take control again, the reverse would happen.

You know, I think that the 60-vote requirement is forcing us to do something that doesn't come natural, and that is to force us to work together to build consensus. I think that is what the American people want us to do, to work together. And the filibuster, that

60-vote requirement to close off debate, forces us to do just that. It eliminates the possibility that we can, with a mere majority of 51 votes, have our way, only to see it reversed after the next election. That is not good for the country. That is not good for our constituents. That doesn't create the sort of predictable, enduring laws that the American people should be able to rely on.

Well, when it comes to eliminating the filibuster, Senator Biden's line about "the arrogance of power" is exactly that. At some point, the shoe will be on the other foot—it always happens—which is why no party, neither party, has been so shortsighted, until now, to try to eliminate the legislative filibuster. No party has ever been so power hungry and so shortsighted as to shatter the norms and traditions of this institution.

I would like to close with one more quote from then-Senator Biden back in 2005. He said:

What shortsightedness, and what a price history will exact on those who support this radical move.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

VOTING RIGHTS

Mr. RUBIO. Mr. President, last week, the Vice President of the United States told us that a riot that happened here in the U.S. Capitol last year was the equivalent of the day in which Japan attacked us at Pearl Harbor and the United States was pulled into a world war that took the lives of over 3 percent of the world's population.

And yesterday, we were treated to the President telling us that election laws that are being passed by various States across the country over the last year are basically the same, the equivalent, of the segregation that existed in this country in the 1950s and 1960s and before.

Now, look, if your daily routine is to wake up in the morning and turn on MSNBC as you ride your Peloton and then you go on Twitter as you are drinking your caramel macchiato and then you are reading the New York Times as you are eating your avocado toast, I imagine all this makes perfect sense to you. After all, for these people, they believe this ridiculous narrative that every Republican—every Republican—is an insurrectionist, probably a racist, wants to overthrow the U.S. Government, and wants to destroy democracy.

The good news is that the overwhelming majority of Americans happen to live back here on planet Earth. And what they are worried about, to the extent they even pay attention to any of this stuff that has been said over the last 2 weeks—what they are really worried about is the fact that everything costs more; you go to the grocery store and the shelves are empty; they have a small business and they hire someone on Monday who just disappears on Thursday and never

comes back; you have got, every day, thousands of people illegally entering the United States across an open border; and, by the way, we have a surge in violent crime and lawlessness across the country. That is probably what they are worried about—in fact, I know it is—on a daily basis.

But to the extent they have paid attention to any of this, let me tell you something. First of all, I think almost everyone would tell you that what happened on January 6 here was a terrible thing; it should never have happened; and it should never happen again.

But I don't care how many candlelight vigils and musical performances you have from the cast of "Hamilton," you are not going to convince, at least most normal and sane people, that our government last year was almost overthrown by a guy wearing a Viking hat and Speedos. OK?

And I don't care, you know, how many of these speeches the President gives in which he shouts out this hyperbole and all this melodrama, you are not going to convince people that having a State pass a law that says, for example, that you have to produce an identification is the same as segregation.

Nevertheless, despite the fact that that is what most people in this country are worried about—inflation and all these other things—that is not what we are working on here. That is not what we will spend this week on. That is not what the priority of this administration has been. That is not what the President is giving speeches about. You may care about inflation back home. They care about the fact—their crisis is that there are some laws in this country, for example, some States in this country, that do not automatically force everyone to register to vote. They just automatically register them. Well, that is the crisis.

They don't care that store shelves are empty. In fact, they have denied that the store shelves are actually empty.

For them, the real problem is that States have laws, for example, that don't allow these roving gangs of activists to bully people into turning over their ballot so they can show up at 6:59 p.m. on election day and just dump it on an elections official.

And by the way, they don't seem overly concerned that there are Americans that will be fired or not allowed into a restaurant unless they can produce their papers, their vaccine card.

The real problem is how dare you ask them to produce a voter ID—a photo ID in order to vote. That is their real problem.

So how can this be? I mean, how can there be such an enormous disconnect between what real people in the real world care about and are talking about on a daily basis and what we are going to spend our time talking about here and these speeches that have been given over the last week?

It isn't about the Capitol riot. Everyone agrees the Capitol riot was terrible and shouldn't have happened—I think most everyone does. But these are some of the same people who downplayed over 700 riots, thousands of cases of looting that happened in America in the summer of 2020.

It most certainly isn't about election laws that have been passed in the last year. They have been pushing these same bills with different titles and different names—they have been pushing all of this for the better part of a decade.

And it certainly isn't about voting rights. It is easier than it has ever been in the history of the United States to register to vote and to vote. And the proof is that in 2020, we had the highest turnout in over 100-and-something years. This isn't about any of that.

If you are paying attention, let me tell you what this is about. This is about power. It is about power. This is about changing the rules of the Senate so they have the power to ram through—to ram through—an election law. And this is about ramming through an election law to make sure that they never lose power, to make it easier to win elections for them and, therefore, have power for perpetuity.

You want to talk about defending democracy? Let's talk about the Americans, real people, who are afraid to donate to a political campaign, to put a bumper sticker on their car, to tell people who they voted for. They are afraid because they don't want to get canceled; they don't want to get boycotted; they don't want to get harassed—so they are afraid. They don't want to get smeared.

Do you want to talk about totalitarianism? Let's talk about the fact that the Attorney General of the United States has said let's go after some of these parents complaining at school boards and treat them as domestic terrorists.

And, listen, if you want to talk about segregation, then let's talk about a system of education that is both separate and unequal, divided between the people who can afford to spend \$50,000 or \$60,000 a year to send their kids to a fancy school where they get SAT tutoring and they get all kinds of advantages and the thousands—no, millions—of American parents who are Hispanic and African American and others who have no choice whatsoever as to where their kids go to school. They have no voice. They have to send their kid to the school the government tells them.

These people don't care about any of this because it is about power. It is not just the power to change election laws. We have seen it. It is about the power to tell you what you are allowed to say. It is about the power to tell you where you are allowed to go. It is about the power to tell you what you are allowed to do. It is about the power to intimidate, to destroy, to smear, to call a racist, a bigot, a hater anyone who

dares get in your way, anyone who dares disagree with you. It is about the power to do that.

Well, let me tell you something. I was raised by and have lived my entire life alongside people who lost their country, the country of their birth, to power-hungry people just like that.

I warn you, do not stand by and allow it to happen to this one.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

JANUARY 6

Mr. MURPHY. Mr. President, I wish it were the case that everyone agrees that what happened here on January 6 was an abomination, but that is simply not true. That is simply not true. Many of my Republican colleagues will say the right things on the Senate floor—occasionally will whisper the right things to us when the cameras aren't watching. But a recent poll—a non-partisan Monmouth University poll—asked Republican voters whether or not they thought January 6 was a legitimate protest. And guess what. Half of Republican voters in this country say that the invasion of this Capitol that involved chants for the death of the Vice President, a gallows outside the U.S. Capitol—half of Republicans believe that that was a legitimate protest. Seven out of ten Republicans today don't believe that Joe Biden is the legitimate President. They believe that Donald Trump won the election, despite the fact that he lost by 7 million votes.

And the reason for that is mostly that the leader of the Republican Party, Donald Trump, has been legitimizing violence, urged those protests and that insurrection attempt, cheered them at the end of the day on January 6, and also because we have seen mostly silence from mainstream Republicans who know better but don't want to pick a fight with President Trump.

So, yes, we are worried about the future of our Republic. We are worried about the future of our Republic because a mainstream political party has gotten behind the idea that power matters more than elections; that violence is a legitimate means of protest.

So this idea that everybody agrees that January 6 was an abomination just isn't true. It is not true, and that is, in part, why we are so worried.

FILIBUSTER

Mr. President, I want to talk about two subjects today, and the first is this question of the rules of the Senate because I have listened with great interest over the last few days as my Republican colleagues have come down to the floor to extol the virtues of Senate tradition. They explained the danger of changing the rules so that the majority vote in the Senate can pass legislation.

It doesn't sound like a radical idea; that if the majority of Senators want a piece of legislation to pass, it should pass. But this idea that the filibuster is part of the original design of our democracy or our Senate or that the cur-

rent use of the filibuster is consistent with Senate tradition is just not true.

Our Founding Fathers—yes, they built a system of government that was designed to make rapid change, even change supported by the majority of voters, really, really hard to implement.

They designed two different legislative Chambers, the President with veto power, staggered terms for Senators, but our Founding Fathers considered a supermajority requirement for legislation in the Congress, and they rejected it as too great a limitation on the will of the people.

Now, admittedly, at the time of our founding, there were other checks on the voters' will being quickly transformed into policy changes. Back then, for instance, only White men could vote. The citizenry at the time wasn't even trusted to directly elect the Members of this body. But in the decades that followed, the American people demanded more democracy, and they got it.

Why? Because as our grand experiment of democracy continues, we saw proof of concept. The people could be trusted to govern themselves. They could choose leaders who were more able, more honest, more effective than any King or Queen or Sultan or Emperor.

So we extended the franchise universally. We decided to have the Senate be directly elected, and as America expanded, the new States out in the West, they gobbled up even more democracy. The West decided to elect not just legislators but judges and prosecutors, dog catchers and insurance commissioners. The majoritarian rule, as America grew, became addictive, and as our country grew, our citizens demanded more of it.

Now, in the context of the Founders' intentions and the long-term trend toward more democracy, this 60-vote requirement, this supermajority requirement in the Senate, which doesn't exist in any other high-income democracy—it stands out like a sore, rotting thumb. This anti-majoritarian drain clog is designed intentionally to stop the majority of Americans from getting what they want from government because that is what it is.

Why should it not be up to the voters and not politicians to decide the laws of this Nation?

With a 60-vote threshold, that decision is robbed from voters. Given that only one-third of the Senate is up for election every 2 years, it is just impossible for voters on their own to move one party from, say, 46 or 48 Members of this body to 60 Members in one election, and we all know this.

But right now the American public is in no mood for the choices of elites to be continually substituted for their collective judgment. Right now, Americans are in a pretty revolutionary mood, and you can understand why. More Americans today than at any time in recent history see themselves

on the precipice of financial and spiritual ruin. So why on Earth would our message amidst this growing populous tempest be to tell voters that rules are required to protect them from their bad judgment, to take from them purposely the ability to change policies whenever and however they wish?

Now, Senate Republicans will say that even though the filibuster is anti-majoritarian—right, it is. It says that even if the public installs a majority in the Senate that wants policy A, the rules are going to be constructed in the Senate to prevent it from happening. Senate Republicans will say that even though it is anti-majoritarian, it is for good reason because, as I have heard many of my colleagues say, it promotes compromise.

Well, I have been in the Senate now for 8, 9 years. Once in a blue Moon, like this summer on the infrastructure bill, there is a big bipartisan achievement. But anyone who believes that the rules of the Senate right now incentivizes bipartisanship should just watch the Senate for, like, a few days.

Today, the 60-vote threshold just allows the minority to sit back and say, no, no, no, over and over again, in large part, because its usage has changed so much. It didn't used to be that the filibuster, the 60-vote threshold, was applied to everything.

Up until the 1970s, cloture votes were almost nonexistent in the Senate. Big things routinely passed with 50 votes. Think about this. In 1994, Senator FEINSTEIN forced a vote here on one of the most controversial topics that we could talk about—a ban on assault weapons. It received, in 1994, fewer votes than did the Manchin-Toomey background checks bill 30 years later. But the assault weapons ban, arguably way more controversial than the background checks bill, passed and became law while the background checks bill didn't. Why? Because in 1994, many important votes, even the assault weapons ban, were allowed to proceed on a majority-vote basis.

That all changed, mostly when Democrats won the Senate in 2007, and Barack Obama was elected President. But no matter who started this policy of applying the 60-vote threshold to everything, today both parties use it. Democrats used it when we were in the minority.

The practice of the filibuster doesn't jibe with this clarion call of adhering to Senate tradition because Senate tradition is not to use the 60-vote threshold on everything. Let's be honest. We are not going back to a world in which Senators self-regulate the filibuster. And there is no sign that the claim the filibuster is an incentive for bipartisanship is going to suddenly become true.

Today, millions of voters are wondering why they vote to change the people who get elected but then nothing actually changes.

We should have a better answer than just Senate tradition.

AFGHANISTAN

Mr. President, President Biden's decision to remove our remaining troops from Afghanistan was the right one, no question about it.

President Trump set the Biden administration up for failure. Trump's agreement with the Taliban committed us to withdrawing all of our troops, and had Biden torn up that agreement, he would have had to send tens of thousands of troops into Afghanistan to push back the Trump-era Taliban gains. The American public would not have supported another Afghanistan troop surge and for good reason. The overnight collapse of the Afghan Army and Government was, frankly, proof that 20 years of nation building had failed, and another 20 years wasn't going to result in a different outcome.

President Biden made the right decision to leave. The American people, by a large margin, support that decision.

But right now we need to be honest. The question of what to do now, as Afghanistan crumbles into a nightmarish failed state, is a moral knot almost impossible to untangle.

As chair of the Foreign Relations subcommittee that oversees Afghanistan policy, I thought a lot about this question, and I have come to a few conclusions that I want to share quickly with my colleagues.

First, let's just take a minute to talk about what it is like to be living in Afghanistan right now. It is a nightmare. Once the U.S. military occupation and all the foreign aid that came with it disappeared, the Afghanistan economy collapsed, predictably.

Today, winter is setting in, and more than half of the population—23 million people—don't have enough food to eat. By this summer, 97 percent of Afghans will be living below the poverty line, trying to survive on less than \$2 a day. With 9 million people just one step away from famine, this humanitarian crisis could kill more Afghans than the past 20 years of war.

And herein lies the quandary. On one side is what sounds like a pretty clear and convincing argument. Essentially, the Taliban has to own this. We warned the Taliban that this collapse would occur if they took the nation by force. That is why we sat at a table with them and tried to explain that it was in their best interests and the best interests of the nation for the Taliban to share power with the elected Afghan Government.

But the Taliban did not listen. They took Kabul and should own the results. To send billions to solve the humanitarian crisis they caused would be to bail the Taliban out and incentivize other insurgent groups to make similar, rash decisions.

But on the other hand is an equally clear and convincing argument.

We stood by the Afghan people for two decades—protecting them, working with them. We spent hundreds of billions of dollars helping to raise up the future of millions Afghan families,

women, and girls. And now those same Afghans, those same families, the ones who, frankly, have nothing to do with the Taliban are dying, potentially, by the tens of thousands. And we have the power to do something about it. How could we let the Afghan people die needlessly if we have the power to stop it?

Now, we possess this power because it is U.S. policy toward the Taliban government that is contributory toward this crisis. It is not the proximate cause, but it is contributory. When Kabul fell suddenly last August, the administration sensibly froze \$7 billion of the former Afghan Government's assets that are held at the Federal Reserve that we didn't want the Taliban to control. But that money isn't ours; it rightfully belongs to the Afghan people. Further, our sanctions on the Taliban—completely justified because of the Taliban's embrace of terrorism—essentially handcuffs the Afghan economy and therefore contributes to the country's economic descent. So we need to understand that our policies are contributing to the humanitarian crisis in Afghanistan.

But what if these two points—that the Taliban should own this and that we can't stand by, idly, while people die—what if they aren't in 100-percent contrast? What if we could help the Afghan people without directly empowering the Taliban? Wouldn't that be the best possible answer?

The good news is, is that the middle road is possible. I am going to be honest. It is not easy, but it is possible.

Over the last 20 years, the United States has spent billions in our taxpayer dollars to build schools and health clinics and a robust civil service. The number of schools today, for instance, is five times higher in Afghanistan than it was in 2001. That is because of American investment.

We can and we should find ways to pay the salaries of those who work at these nonpolitical institutions through the U.N. and NGOs on the ground, going around the Taliban-led government to keep those essential services running and to inject some much needed money into the economy. Again, this isn't easy to do, but it is worthwhile given the stakes.

We can also support the U.N. directly. Yesterday, the U.N. asked for a \$4.5 billion call in humanitarian aid to stave off catastrophe in Afghanistan. This is the largest single-country appeal in history. That should tell you about the scale of the crisis that we are facing. It is larger than what we see in Syria or Yemen or Ethiopia.

I support the administration's decision to dedicate an additional \$308 million in humanitarian aid to Afghanistan. That money can help save lives. But Congress should authorize more.

Make no mistake, the Taliban and, frankly, 20 years of corrupt Afghan Government do own this debacle. The choices they made have led to this day.

But our hands aren't clean. Our mismanaged occupation is part of the story.

Right now, as the Afghan economy collapses and families face starvation, burying our heads in the sand is not a solution. We can find ways to save lives without unreasonably empowering the Taliban.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Arkansas.

FILIBUSTER

Mr. COTTON. Madam President:

Right now, we are on the precipice of a constitutional crisis. We are about to step into the abyss. I want to talk for a few minutes why we are on that precipice and why we are looking into the abyss.

Let me first ask a fundamental question: What is the crisis that calls for the undoing of two centuries of tradition? . . . Are . . . Senators merely doing their jobs as legislators, responding to a generalized public calling for the abolition of the filibuster? Clearly not. It is not the American people at large who are demanding detonation of the nuclear option.

[T]he nuclear option is being pushed largely by the radioactive rhetoric of a small band of radicals who hold in their hands the political fortunes of the President.

Constitutional scholars will tell us that the reason we have these rules in the Senate—unlimited debate, two-thirds to change the rules, the idea that 60 have to close off debate—is embodied in the spirit and rule of the Constitution. . . . That is what the Constitution is all about, and we all know it.

It is the Senate where the Founding Fathers established a repository of checks and balances. It is not like the House of Representatives where the majority leader or the Speaker can snap his fingers and get what he wants. . . . On important issues, the Founding Fathers wanted—and they were correct in my judgment—that the slimmest majority should not always govern. . . . The Senate is not a majoritarian body.

The bottom line is very simple: The ideologues in the Senate want to turn what the Founding Fathers called the cooling saucer of democracy into the rubber stamp of dictatorship. . . . They want to make this country into a banana republic where if you don't get your way, you change the rules! Are we going to let them? It'll be a doomsday for democracy if we do.

I, for one, hope and pray that it will not come to this. But I assure my colleagues, at least speaking for this Senator . . . I will do everything I can to prevent the nuclear option from being invoked not for the sake of myself or my party but for the sake of this great Republic and its traditions.

Those are powerful words, but they are not mine. Every word of my speech today was originally spoken by our esteemed colleague, the senior Senator from New York, CHUCK SCHUMER. Senator SCHUMER spoke so eloquently in defense of the Senate's rules, customs, and traditions when the fortunes of his party looked a little different. My, how times have changed. Now it is Senator SCHUMER's fingers that are hovering over the nuclear button, ready to destroy the Senate for partisan advantage.

Think about it. The narrowest majority in Senate history wants to break

the Senate rules to control how voters in every State elect Senators. Could there be a better argument to preserving the Senate's rules, customs, and traditions?

So, before it is too late, let us reflect on the wise and eloquent words of Senator SCHUMER's, words that are as true today as they were when he spoke them, even if Senator SCHUMER is singing a different tune today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, the Senate is designed to be a place where the Members of the minority party and the millions of Americans they represent are heard. In this Senate, the minority could not be any bigger. In fact, if the minority were any bigger, we would be in the majority. This is a 50–50 Senate, and it is no time to take away the protections that the Senate for almost 200 years has afforded to the minority. The considerations given to the minority are important not only to the Senators and the millions of people they represent, but I think they are important in how the country moves forward.

I served in the House. I like the House. I watch the House as closely as any Senator does. Every time the House changes, the House passes a bunch of pretty dramatic legislation. Then it comes to the Senate. That dramatic legislation they passed in the House doesn't go anywhere in the Senate. When the House changes again—and it has a number of times in the last 20 years—the other side comes in and passes legislation that reverses all of that and maybe does a little dramatic legislation of their own that also doesn't go anywhere when it gets to the Senate.

If all laws were passed by a simple majority, there would be the potential for the majority to rewrite the country's laws constantly, no matter how small the shift in power was. It is always a mistake, frankly, to act like you have a mandate if you don't have one. It is a mistake for the country to change direction dramatically before the country has had time to think about it. The bureaucratic whiplash could be enormous. The economic impact could be enormous of the changing policies on regulation and taxes and everything else in a dramatic way every time one side gets some small advantage over the other side.

For the past year, we have heard a constant refrain from our colleagues on the other side of the aisle that the legislative filibuster—the supermajority to move to finalize a piece of legislation—must be reformed. At the present moment, we are hearing it must be reformed only, maybe, for elections, that we should have a carve-out for elections. Just a few weeks ago, it had to be reformed to have a carve-out for the debt ceiling. I am sure, if we had done either of those things, in a few weeks, we would be talking about a third

carve-out. And what are we doing it for? We are doing it for what I see as a federalization of the election process.

When asked in a Morning Consult/POLITICO poll that was just released today—so this is something the American people have just weighed in on today. When they were asked which of the three voting ideas that were polled should be a top priority of the Congress in the voting area—one was reforming Congress's role in counting electoral votes; one was expanding voting access; one was expanding the oversight of the State changes in elections—they were all beaten by “none of the above.” “None of the above” got more votes in that poll than some of the top priorities the Democrats were talking about.

We hear that we have to extend the Voting Rights Act. We have even titled the Voting Rights Act after a person whom I served with in the House, whom I traveled with, whom I had a close friendship with—John Lewis. That would be a good reason for me to vote for the Voting Rights Act, and certainly I voted to extend the Voting Rights Act before. In fact, I would vote to extend the Voting Rights Act today, and I would even be more happy to vote for the Voting Rights Act today if it were the Voting Rights Act that just happened to be named for John Lewis. The Voting Rights Act in 1965 was 12 pages. The extensions have all been about the same size. This bill has another 110 pages of additional legislative things that don't deal with the principles of the Voting Rights Act at all; they deal with the Federal Government's taking over the election process.

We have seen our colleagues talk about this in one bill after another. I think the motives are pretty transparent right now; it is another way to break the filibuster. But we hear that the laws that States are passing—and by the way, the States have been passing election laws for the whole country, as it relates to their States, for a little over 200 years now. The Constitution was pretty specific as to who would conduct elections in the country and who would set the rules and regulations in the country for those elections.

We hear that these laws are very restrictive. Now, mostly, these laws are laws that the legislatures leaned forward, as they should have, in my opinion, in a pandemic environment. It was an election that, in at least 100 years, we had never conducted anything like with the pandemic experience we were in. So they leaned forward. They allowed things that had never been allowed before: more mail-in voting, voting from your car, voting from a parking lot, all sorts of things. Then those same legislatures looked back at what had happened as a result of that and said: Do we want to keep all of this as if we were going to have a pandemic every year or do we want to keep part of it? In every case that I have looked

at, the changes in election law made it easier to vote in 2021 than it was in the last election before the pandemic.

I would encourage all of my colleagues, who are such sudden experts on Utah and Iowa and other election laws, to look at the 2018 election laws and see how they compare. What the legislatures did was exactly what you would hope they would do—respond to a crisis and, when the crisis is over, evaluate how much of that we want to keep as part of our permanent system and how much of it was only in crisis.

What do these laws do?

In Utah, the State legislature determined it would be appropriate for the Lieutenant Governor, who is the chief election official of Utah, to get the names of deceased individuals from the Social Security Administration and give them to county officials, who would take their names off the rolls. That is listed as one of the things that make it harder to vote—well, harder to vote for dead people. That is fine. I, actually, asked this question in a hearing of someone—one of the election-monitoring people who said this was difficult.

I said: Well, what about that?

He said: The Social Security Administration is often wrong.

Well, if anybody is going to get something straightened out pretty quickly, it would be a living person who no longer is getting their Social Security check because the Social Security Administration had them on a list of people who were deceased. What a foolish argument that was for that to be a repressive thing.

In Georgia, the State legislature adjusted their mail-in ballot deadline to ensure voters who requested mail-in ballots got their ballots with enough time to cast them. They brought their date more in line with the advice of the U.S. Postal Service. The truth is that lots of States did this.

States like Georgia and Florida now include specific provisions in State law that allow for the use of drop boxes. In fact, they have to have at least one in every county. There were no drop boxes in Georgia anywhere before the 2020 elections. Now there have to be drop boxes everywhere, and it has to be understood where those locations can be found.

States like Iowa and Georgia implemented more early voting days than the so-called Freedom to Vote Act would require. In fact, these States had more days of early voting than many States that have Democrat-led legislatures, like New York and Connecticut and the President's home State of Delaware.

They also forgot that many Republican States, like Arizona, Florida, and Georgia, have already implemented no-excuse absentee voting.

I was an election official for 20 years, part of that as the chief election official in our State, the secretary of state. I am absolutely confident that nobody takes the security of the elec-

tions and the confidence in the elections and the ability to register and vote in an easy way more seriously than people who are directly answerable to their neighbors, if they are the local official, or to the people who vote for them, if they are the State official.

President Obama said in 2016 that the diversity of this statewide system was one of the strengths of our system—the State-run system—and one of the reasons it would make it really hard for any outside entity—any foreign entity, any outside group—to truly try to rig a national election.

I have got more to say. I am going to submit the rest of my remarks for the record. I am sure there will be more time to talk about this next week.

On ballot harvesting, 62 percent of people in one poll are opposed to ballot harvesting. Ballot harvesting is when you ask somebody to give you their ballot. You say: I will turn it in for you.

Well, maybe—who would know?

I will put it in the mail for you.

Who would know? If it never gets to the counting place, it just got lost in the mail.

One of the reasons it might have gotten lost in the mail is the ballot harvester knows, with almost certainty, that the way you marked your ballot is not the way the ballot harvester would prefer to have the ballots marked.

Seventy percent of Americans support voter maintenance. That is eliminated in many ways by the law being proposed.

One proposal even went so far as to tell States the kind of paper their ballots would be printed on. If you really want to make it easy to impact an election, be sure that somebody knows the exact paper that every entity in America prints their ballots on and gets some of that to use to try to divert the election and make the election less secure.

We are going to hear a lot about this over the next couple of days. I certainly would welcome the opportunity to have more time, and I am sure I will have more time, to talk about what is in these bills, both the State bills and the Federal bills, as opposed to what people are saying is in both bills.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, the Senator from Missouri is exactly right. We are going to hear so much about this, and the reason is, as the American people hear about this so-called election bill, what they are realizing is, it is not something that is going to make their local election safer. It is something that is going to put that power in Washington, DC.

Now, what we are hearing from the majority leader and the Democratic leadership is that they have got to get rid of the filibuster in order to push forward this election bill, adding States, packing courts—all of this laundry list of a socialist agenda that they are planning to execute.

So what I want to do today for a couple of minutes is just walk us down memory lane as to what people have had to say, what our Democratic colleagues have had to say about the filibuster.

In May of 2005, then-Senator Joe Biden came to the floor and he vigorously jumped into the middle of a debate over the filibuster. He said that things would go very wrong if his colleagues decided to blow up the rules to get their way. What is interesting about Senator Biden's position is that it had almost nothing to do with his policy goals.

Here is his quote:

Folks who want to see this change want to eliminate one of the procedural mechanisms designed for the express purpose of guaranteeing individual rights, and they also have a consequence, and would undermine the protections of a minority point of view in the heat of majority excess.

He understood, at that point in time, the importance of preserving the Senate's institutional power and abiding by standards that not only welcome but require deliberation and compromise.

Well, what a difference a few years and a Senate majority can make. Today, we are having the exact same debate, but the power my Democratic colleagues won in the last election has changed their minds about breaking the Senate to get their way. The problem is, the Senate is not broken. It does not need their changes.

But the rules no longer matter to the majority leader, even though he said as recently as 2017:

[L]et us go no further down this road. I hope the Republican leader and I can, in the coming months, find a way to build a firewall around the legislative filibuster, which is the most important distinction between the Senate and the House. Without the 60-vote threshold for legislation, the Senate becomes a majoritarian institution like the House, much more subject to the winds of short-term electoral change.

Well, my, my, my, how about that? He understood the dangers of legislative whiplash, even when he was in the minority. So did my colleague Senator DURBIN, who said in 2018 that he believed that ending the filibuster would “be the end of the Senate as it was originally devised and created, going back to our Founding Fathers.”

Well, I am going to ask the Senators from New York and Illinois: What happened here? What changed their minds so drastically? They have done a 180.

I would ask the same question of many of my Democratic colleagues. In 2017, 32 Senate Democrats—yes, that is correct, 32, many of whom are still serving in this Chamber today—signed onto a bipartisan letter in support of the filibuster. Now, they, too, have changed their minds. It makes you wonder: What is everybody on the Democratic aisle drinking these days?

This is no way to run the world's greatest deliberative body, but it is a great way to destroy it. Between 2017 and today, many Senate Democrats

changed their minds about how to handle the filibuster.

Over the past year, we have watched Joe Biden and the Democrats attack more than one institution forming the foundation of this Nation. The Supreme Court, the First Amendment, the Second Amendment, limits on the power of the Executive, and, now, the Senate rules have all proved to be inconvenient to their agenda and ended up on the chopping block. That is where they are putting them.

My Democratic colleagues may be frustrated, but that is just too bad. The Senate was not designed to rubberstamp legislation that is so beligerently foolish it can't tempt a single Republican vote—not one. No.

The Senate was designed to protect the American people and the institution itself from shortsighted leadership.

My colleagues claim that all they are asking for is one teeny little carve-out—just one. But I would remind them that there is only so much carving you can do before you reduce the entire thing to dust. And based on their track record, we have no reason to trust that they will stop carving and put down the knife rather than use it to hold the Senate hostage the next time they can't scrounge up the votes to check something off their to-do list.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, since the founding of our Republic, the Senate has existed to encourage extended debate and protect the rights of the minority party.

Over the centuries, as various political parties have risen and fallen from power, the Senate's rules have been respected and followed. One of those rules is the legislative filibuster, which protects the minority party's rights by requiring a 60-vote threshold to pass legislation in the Senate.

Unfortunately, many of today's Democrats in Washington only care about one thing: radically transforming this Nation into a new socialist state. And they will use any means necessary to keep their grip on the Federal Government.

Now we are seeing Democrat leadership in the Congress wield their historically narrow majority to push one partisan bill after another without even attempting to get Republican input or support. Instead of working together with their Republican colleagues, they are searching for ways to make it easier to jam through progressive, socialist policies without any compromise. Just look at the majority leader's most recent statements on the filibuster.

Last week, the majority leader wrote a letter to all Democrat Senators explaining his plans to fundamentally and permanently alter the rules of the U.S. Senate and change the legislative filibuster. His statements could not be more hypocritical or self-serving.

The legislative filibuster, which has been in place for decades, has been repeatedly defended as a vital and necessary rule to protect the minority party's rights, including by Barack Obama, Joe Biden, Kamala Harris, and even Senator SCHUMER.

In 2017, Senator SCHUMER urged then-Majority Leader MCCONNELL to "find a way to build a firewall around the legislative filibuster," which is the most important distinction between the Senate and the House.

He went on to say:

Without the 60-vote threshold for legislation, the Senate becomes a majoritarian institution like the House, much more subject to the winds of short-term electoral change. No Senator would like to see that happen, so let's find a way to further protect the 60-vote rule for legislation.

These are the direct quotes from the Senator from New York. He called the filibuster the most important distinction between the Senate and the House, and now he is turning his back on them.

Of course, my colleague from New York isn't the only one caught in a bind here by previous statements and actions. Just remember that, in 2018, the current Senate majority whip, Senator DICK DURBIN, said doing away with the legislative filibuster "would be the end of the Senate as it was originally devised and created going back to our Founding Fathers."

He further admitted: "We have to acknowledge our respect for the minority, and that is what the Senate tries to do in its composition and its procedure."

Or remember in 2017, when 32 Democrats signed a bipartisan letter urging Senate leadership to keep the sacred part of the Senate intact. Most of those same Senators who defended minority party rights are still in office today, but only one has expressed any opposition to Senator SCHUMER's plans to destroy the filibuster, now that he is in the majority.

And just last Congress, most of the Democrat caucus used a filibuster to block a police reform bill from my Republican colleague TIM SCOTT and a bill that would have protected newborn babies who survived attempted abortions.

So my Democrat colleagues think the filibuster is great when it works in their favor, but they can't stand it when it blocks their radical socialist agenda, an agenda we know the American people do not support.

So why the change of mind? Why are they willing to be so blatantly hypocritical and so obviously flip-flop? Because they know if they pull this off and pass this radical, dangerous bill to federalize elections, it will all but secure their power into the future. That is what we are talking about here.

Democrats want to push through this bill that will completely upend our current election system, and they are willing to abandon their principles and flip-flop on the filibuster if it means permanently maintaining power.

Senator SCHUMER admitted it earlier today on MSNBC. He said the quiet part out loud and explained that Democrat Senators are saying things like "I'll lose my election" or "We'll lose our majority" if they don't change the filibuster to pass their election takeover bill.

Democrats say this is about "voting rights." It isn't. The right to vote is more readily accessible and easily exercised by eligible voters across the country than ever before. This is really about federalizing our elections and enacting policies that they think will give them an advantage in future elections. And all along the way, they will revel in their hypocrisy and self-righteously pretend that they are "protecting democracy."

But make no mistake, a change to the filibuster won't protect democracy. It will ruin it.

Democrats in this Chamber can posture all they want, but the American people see them for what they really are: self-serving, power-hungry politicians.

We all know that if the Democrats' bill was good, if it included policies that would actually improve our Nation's elections, it would pass. But there is nothing in the bill worth voting for. The Democrats' bill is an assault on American elections. It will fuel voter fraud, waste taxpayer dollars on political campaigns and attack ads, and make it nearly impossible to conduct fair elections that our citizens can trust.

We need an end to this self-serving hypocrisy, and we need Members who will stand up for what is right. I am urging my Democratic colleagues to see past their party's own partisan, short-term interests, and I ask them to consider the health and future of our democracy. That is what the American people deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, just this week, we saw the College Football National Championship game. A lot of tremendous athletes engaged in tremendous feats of skill and strength, but I have to say, there wasn't an athlete on the field who demonstrated the flexibility that we are seeing in the U.S. Senate right now. We are today seeing Democrats in the Senate, with the active encouragement of President Joe Biden, engaging in not one but two partisan power grabs and doing them both with a twist. Let me explain.

Democrats are desperate to hold on to power. It is their No. 1 priority. It is more important than anything else. It is more important than jobs and our economy to Democrats. It is more important than getting kids back to school. It is more important than defeating COVID. Nothing matters more to today's Democrats than staying in power no matter what.

How do we know that? Well, the very first bill introduced in the House of

Representatives, H.R. 1, is a bill many of us call the "Corrupt Politicians Act." It is a bill designed to keep Democrats in power forever. That was NANCY PELOSI's No. 1 priority.

The very first bill introduced in this Chamber, S. 1, is likewise the "Corrupt Politicians Act," a bill designed to keep Democrats in power forever. It is the No. 1 priority of elected Democrats.

When that failed to get sufficient votes to pass, Democrats shifted to option 1B. Option 1B has the same objective—keep Democrats in power forever—but it is through a little twist, a sleight of hand. Now, Democrats want to subject every significant decision concerning voting to the unreviewable—in most instances—arbitrary power of an unelected bureaucrat in the Federal Department of Justice.

My State of Texas has 29 million people. Those 29 million people have democratic rights. They have rights to elect legislatures that reflect their views, their policies, their values. Do you know what Senate Democrats say? We don't care. We don't care what those 29 million people want; we, the Democrats, want to stay in power.

So let's take, for example, photo ID. I have in my wallet my driver's license. Most people do. Voter ID is a policy that is supported by the overwhelming majority of Americans. Roughly 80 percent of Americans support voter ID, requiring a driver's license to vote. Two-thirds of African-American voters support voter ID. It is overwhelmingly supported across the country.

Do you know who doesn't support it? Elected Democrats. Sadly, every single Democrat in this Chamber has been willing to go on board with proposals to strike down voter ID laws. Here is what the Democrats want to do: They want to say that even though the voters of Texas want voter ID because we want elections with integrity—we want to know that if you come in and vote and say your name is John Doe, that you are not somebody else pretending to be that person—congressional Democrats don't care. They want to have an unelected bureaucrat with the ability to strike that down—and likewise with ballot harvesting.

Ballot harvesting is one of the most corrupt practices in this country. It is the practice whereby paid political operatives go and collect the ballots of other people. So, for example, you have a young operative from the DNC come into a nursing home and go room to room. Now, some of those residents may no longer be competent to make a choice. They may not be aware of their surroundings. But for an unscrupulous operative, that doesn't stop them. That operative can sit there and say: Sir or ma'am, you want to vote for so-and-so, don't you? They can fill out the ballot for them.

Do you know what? If there is some obstreperous senior in a nursing home who says, "Gosh, I really want to vote for the other guy," well, it is very simple for the unscrupulous operative to

take that ballot—ah, this ballot is for the other guy—and magically it ends up in the trash, never gets mailed in. They can just mail in the ballots they agree with and throw away the ballots they disagree with.

There is a reason the majority of States have made ballot harvesting illegal: It invites voter fraud. By the way, it wasn't long ago when people on both sides of the aisle recognized this.

The most significant bipartisan effort examining voter fraud: the study of a bipartisan Commission called the Carter-Baker Commission. Baker is former Republican Secretary of State James Baker. Carter is former Democratic President Jimmy Carter. The Carter-Baker Commission concluded that voter ID was an important step to stopping voter fraud. The Carter-Baker Commission concluded that voter fraud was a real and significant problem undermining the integrity of elections. The Carter-Baker Commission identified ballot harvesting as one of the most dangerous practices encouraging voter fraud.

As I said, the Carter in Carter-Baker Commission was former Democratic President Jimmy Carter—hardly a rightwing Republican operative by any stretch of the imagination.

It used to be, when sanity was permissible in the Democratic Party, that people would acknowledge the obvious. Unfortunately, we are in hyperpartisan times. So, today, Senate Democrats want to be able to have laws on voter ID, want to have laws prohibiting ballot harvesting struck down by one unelected bureaucrat.

By the way, who is that bureaucrat? Currently, it is a woman named Kristen Clarke, head of the Civil Rights Division at the Department of Justice. Ms. Clarke is one of the most radical, partisan nominees ever to serve in the U.S. Department of Justice. She is one of the leading advocates in the country for abolishing the police.

By the way, every single Democrat in this Chamber voted to confirm her despite the fact that she is one of the leading advocates in the country for abolishing the police. She has been a hardcore, leftwing, partisan advocate her entire life.

Now, she is entitled to have her views. She is entitled to believe those views passionately. But here is what Senate Democrats want to do: They want to take this one person and say she can strike down the laws adopted by legislatures elected by 29 million Texans. That is extraordinary.

Now, what could justify such a thing? Well, we saw Joe Biden give an incredibly demagogic, racist speech accusing half the country of being racist, of being Bull Connor.

The Democrats say this is Jim Crow 2.0. You know, Madam President, ironically and I think inadvertently, the Democrats are telling the truth. They don't mean to be, but they are. What was Jim Crow 1.0? Jim Crow 1.0 was

laws that were written almost exclusively by elected Democrats. If you look at the authors of Jim Crow, they were Democrats, as were the founders of the Ku Klux Klan. The purpose of Jim Crow laws was to do one thing: stop the voters from voting Democrats out of office because, if you look at the African Americans who were freed from slavery, they were electing Republicans. In many instances, they were electing Black Republicans. And the Democrats didn't want that. How dare the voters select someone not from their party. So Jim Crow was written to strip the right to vote from the voters who dared to vote against Democrats.

Well, fast-forward to today. The "Corrupt Politicians Act" is Jim Crow 2.0. It is once again written by Democrats to strip the right to vote from the American people to prevent them from voting Democrats out of office.

Listen, a lot of Democrats are really nervous right now. Pretty much everyone in Washington recognizes that in November, we are going to see a wave election. Pretty much everyone in Washington understands that in November, Republicans are going to retake the House of Representatives, probably by a big margin, and there is a very good possibility we will retake the Senate as well.

Democrats can't defend their policies. They can't defend the rampant inflation that is hammering seniors and working-class people across the country. They can't defend the chaos at the open borders. They can't defend the jobs being destroyed. They can't defend the lawless and abusive vaccine mandates. And they certainly can't defend their catastrophic surrender and failure in Afghanistan.

It has gotten so bad that when Joe Biden and KAMALA HARRIS went down to the State of Georgia, Stacey Abrams, the Democratic candidate running for Governor in Georgia—and, I would note, Stacey Abrams still maintains to this day she won the last election. She insists the last election was stolen and she is the sitting Governor. Apparently this is a reelection campaign. Stacey Abrams refused to show up, to be seen with Joe Biden and KAMALA HARRIS. Even while Biden was giving this racially demagogic speech, which Stacey Abrams has made a career of doing, Ms. Abrams did not show up for the speech. She said she had a scheduling conflict.

The Presiding Officer and I have both served some time in the Senate. We have both seen instances where the President of the United States was visiting our home States. I can tell you, as a Senator, you make time to be there if you want to be there. It is clear that Ms. Abrams did not want to be there, that she looked at Joe Biden and KAMALA HARRIS and sees their poll numbers plummeting, she sees their policies failing, and she wanted to be nowhere near that.

So what is the Democrats' approach? If they can't win on the merits, if they

can't defend their policy failures, if they can't convince the voters, then let's go back to the Jim Crow policies the Democrats authored to begin with. This is Jim Crow 2.0: Strip away the power of the voters to make a choice, put an unelected bureaucrat in charge of election laws, and throw out the decisions of 29 million Texans.

I will tell the Presiding Officer this: Democrats don't get to claim they are defending democracy when they are literally taking away the rights of democratically elected legislatures. That is many things, but it ain't democracy. One unelected bureaucrat overruling 29 million Texans is not democracy; it is a power grab.

But I told you this was a power grab on top of a power grab with a twist. The second power grab is, how are they going to try to pass the "Corrupt Politicians Act"? They are going to do it by nuking the filibuster.

The rules of the Senate written in that book that sits on the dais in front of you say that to proceed to legislation takes 60 votes in this Senate. It takes 60 percent of the Senators. Those are the Senate rules. They are black and white. They are clear. If you don't like the Senate rules, there is a way to change that. You can amend the Senate rules. It takes 67 votes to amend the Senate rules.

A number of us have proposed amending the Senate rules. I myself have repeatedly gone to Democrats saying I would be happy to work with Democrats on proposals to amend the Senate rules to allow Senators on both sides to offer more amendments. Democrats haven't been willing to do so. Instead, what Democrats intend to do—what they want to do, what President Biden is urging them to do—is to break the Senate rules, to change the Senate rules. It is called nuking the filibuster.

If their plan is successful, Senator SCHUMER will stand up and seek a ruling from the Chair as to whether it takes 60 votes or 50 votes to proceed to legislation.

The Chair will say—if the Chair is following the rules—it takes 60 votes. And then Senator SCHUMER will move to reconsider the ruling of the Chair and overrule the ruling of the Chair and say: Even though the words on the page say 60 votes, from now on it is 50. It is another brazen power grab.

There may be some folks at home who are a little cynical of the partisan time we find ourselves in, who are skeptical of claims, perhaps, made by both sides. But maybe you are a Democrat at home. And I am a Republican. I am a conservative Republican. You might be saying: Do you know what? If it is CRUZ saying it, I am a Democrat; I don't believe him.

I understand this. This is a very partisan time. There are a lot of disagreements. So if you are a Democrat at home and you are inclined not to believe what I say, I am going to suggest, perhaps, some people you can believe.

I told you it was a double power grab with a twist. I want to point to you the

words of President Joe Biden. If you are not inclined to believe a Republican, maybe you will believe Joe Biden. Here is what Joe Biden said in 2019. This is not 1964. This is not 1954—2019, a couple of years ago. "Ending the filibuster is a very dangerous move."

If you are at home and don't believe Republicans, do you believe Joe Biden? Was he lying when he said "Ending the filibuster is a very dangerous move" or was he telling the truth? Because that is what Joe Biden said just a couple of years ago.

Now, maybe you say: Well, he was on a campaign. People say things. You can't hold him to fault for saying that. That is not fair.

OK, all right, so now you don't believe me, and you don't believe Joe Biden. But let's see if we can find someone else. How about someone who serves in this Chamber right now? How about someone who is the Senate majority leader right now? How about Senator CHUCK SCHUMER?

If you haven't actually watched this speech, I would encourage you to go pull out your phone and Google it. You can find it really easily. Senator CHUCK SCHUMER, in 2005, gave a speech. I am going read to you verbatim what he said. He said: "They want, because they can't get their way . . . to change the rules midstream."

What would be the effect of that? You change the rules midstream. You nuke the filibuster. What would be the effect of that? According to CHUCK SCHUMER, the effect of that is "to wash away 200 years of history." That is what SCHUMER says is the effect. "Washing away 200 years of history"—that sound serious.

Anything else?

"They want to make this country into a banana republic, where if you don't get your way, you change the rules"—"wash away 200 years of history . . . make this country into a banana republic."

That is pretty serious stuff. That ought to concern us. But at least that is the worst it gets, right? Well, actually, no. SCHUMER continued: "It'll be doomsday for democracy if we do."

There are reporters teeming the U.S. Capitol. Any reporter who wants to be something other than a partisan shill and mouthpiece for the Democrats ought to ask every single Democrat: Senator so-and-so, do you agree with CHUCK SCHUMER that ending the filibuster will turn our Nation into a banana republic? Do you agree, Senator so-and-so, that ending the filibuster would be doomsday for democracy?

And, by the way, if there are any reporters left who actually have journalistic ethics, you shouldn't just ask JOE MANCHIN and KYRSTEN SINEMA. Right now, they are the lone Democrats with the gumption to stand up for democracy. But you ought to ask all 50 of them, every single one of the Democrats: Do you agree with CHUCK SCHUMER that ending the filibuster is doomsday for democracy? And if not,

why? Is it just that your team is the one that can't get their way? Now it is your side that wants to change the rules midstream. Now it is your side that, if you don't get your way, you change the rules.

Was Joe Biden lying in 2019? Was Senator SCHUMER lying in 2005? I don't know. You ought to ask them. A double power grab with a twist: Jim Crow 2.0, seizing Federal elections, striking down the laws adopted by democratic legislatures, putting an unelected radical leftist bureaucrat in charge of elections with more power—this one leftist bureaucrat—than all 29 million people in the State of Texas, doing so by breaking the Senate rules to change the rules. And the twist is with a dose of hypocrisy—unusual even for this place.

Look, if a Senator serves long enough, there will be times when they may vote a little bit this way or a little bit that way. There are lots of Senators that have had tensions with prior positions. I cannot think of another time when a Senator has voted for something that he has called "doomsday for democracy." That is not just a little hypocritical. And, by the way, all the Democrats agreed with him. They were all standing shoulder to shoulder.

In 2005, when Senator SCHUMER said this, he was either lying or telling the truth. If he was lying, I guess you should ask him why he was lying. If he was telling the truth, I guess you should ask 48 Democrats who don't care why they are willing to vote for doomsday for democracy.

If you want to understand the dangers of this double power grab with a twist, look no further than the vicious, partisan, divisive, hateful speech President Biden gave, insulting half this country; oddly enough, blaming Republicans for the sins of his own party—the Democratic Party—who wrote Jim Crow and founded the KKK.

All of us were sitting outside the Capitol when President Biden gave his inauguration speech, when he talked about unity, when he talked about healing. Do you want to see the vicious partisanship that ending the filibuster will produce? You saw it. A double power grab, with a twist of hypocrisy.

If there is a Democrat in this Chamber who gives a damn about democracy, let me urge you: Don't vote for what your own leader has called "doomsday for democracy."

I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, the Senate is, indeed, a peculiar institution. Despite what some might expect, and despite how it might be portrayed from the outside, Senators genuinely strive to be collegial, even when—especially when—they hold strong political and policy disagreements. In fact, the Senate rules have strict prohibitions on insulting the character of another Member or a State. That is because debate is a fundamental part of the Senate. I

mean, it is part of our culture in this institution. That is how this institution earned the moniker as the world's greatest deliberative body.

Some in this body, unfortunately, want to change all that. They seek to trample over more than two centuries of precedent, procedure, and politeness. They are attempting to break the rules that require a two-thirds supermajority—67 votes—to change the rules. They want to ignore that requirement and stiff-arm this historic institution in a way that would obliterate the requirement that those in the majority hear the voices of and work with those in the minority.

That requirement—sometimes colloquially referred to as the filibuster—is one of the most powerful constraints or checks on human nature, not only in the Senate but in the entirety of the U.S. Government. If the filibuster were removed, everything from regulatory structures to tax rates, the size of the Supreme Court, the makeup of the military, the criminal code, and much, much more could change drastically every few years. Keeping track of the law and its fluctuating requirements would be impossible for the most capable of lawyers, let alone the average American subject to all those laws. Our business landscape would be obliterated under the ever-changing commands of the Federal Government. Americans would be worse off in almost every sense I can think of. In countless ways, the American people would be harmed by this unfortunate decision.

Our system is designed specifically to control those whims and those passions, to make sure that their impact on the law doesn't cause the law to become this ever-changing, ever-fluctuating creature that can't be anticipated.

Our Constitution was designed to protect the rights, the voices, and the influence of those not in the majority. Laws that significantly impact the lives of hundreds of millions of people should, in fact, be difficult to pass.

In fact, the Senate has applied these principles into almost every mechanism of the institution. Most laws pass by unanimous consent or by simple voice vote after hearty consideration and frequent amendments through a process known as the hotline. That would essentially cease to function if the minority had no significant influence. Opportunities for amending these often smaller and somewhat less controversial bills would be foreclosed, crippling the careful consideration needed. Bills would have to be forced through often on party-line votes over the objection, suspicion, or protest of the minority.

But beyond building consensus and maintaining the function of the Senate, the filibuster serves as the keel on a very large ship. It prevents the waves and passions of each new election from drastically changing the laws of the country. It is a stabilizer of sorts, one

that prevents our Nation's course from being jerked around to oscillating extremes.

I was asked recently if the Senate is broken. I responded by saying that the only sense in which I think the Senate is significantly broken, or at least undermined in the way that it is supposed to operate, is in its neglect of substantive debate and opportunities for amendments for each individual Member. The filibuster protects the remaining debate, amendment, and consideration available to Members of this body, whether those Members are of the majority party or of the minority party.

So removing the filibuster, on the other hand, would irreparably render the Senate beyond recognition. The partisan vitriol and disregard for opposing Senators would eat away at this place, at our norms, our customs, and, ultimately, our Republic.

Now, at least until recently, many Senate Democrats—most, in fact—held these beliefs as well. In 2017, 27 of them, including now-Vice President HARRIS, signed a letter urging the preservation of the filibuster. Many of those Members still serve today, and I encourage them to consider their past advice.

By the way, that was a letter I signed, along with nearly every Member of the Senate from the Republican Party. We signed on to that notwithstanding the fact that Republicans held majorities in the Senate and in the House and a Republican President was serving in the White House. We did so because even though some short-term gain could have been achieved by nuking the filibuster then, we all understood what I think we still all understand today, which is that it would inflict irreparable harm on the Senate, and even more than the Senate, on those represented here. It would irreparably harm the American people to do away with it.

Senator SCHUMER, the leader of this destructive current effort, has himself in the past given grave, dire warnings about what this tactic—making the filibuster a thing of the past—would mean. We heard many quotes today, and in one that sticks out in my mind in particular, he said that attempts like that to nuke the filibuster are “what we call abuse of power.” He also said in that same quote that even if you have 51 percent of the vote, you still don't get your way 100 percent of the time. He is absolutely right. That describes the Senate, it describes its rules, and it describes so much about how our system of government works. It even describes the system of checks and balances built into our Constitution.

The vertical protection of federalism says many of our laws—in fact, most of them—are supposed to be made at the State and local level and not within Washington, and the horizontal protection—that of federalism—says that we are going to have one branch that

makes the laws, one that enforces them, and one that interprets them.

In that same document, it gives both Chambers of Congress the authority to set our own rules. Even though the 60-vote cloture standard is not itself mandated by the Constitution, the authority to add it, to adopt it, as the Senate has, is in the Constitution, and its ends, more importantly, are entirely consistent with this principle of checks and balances, with this notion that Senator SCHUMER eloquently referred to. The mere fact that you have 51 percent of the vote doesn't entitle you to get your way 100 percent of the time. Now, this circumstance is particularly poignant given that he doesn't even have 51 percent of the votes in this Chamber, no. This is deadlocked 50 to 50.

He is also right that this is what we call an abuse of power. Indeed, breaking the rules to grab power is an abuse. This attempt is so transparent that even Senator SCHUMER has told the media that his Members are concerned about losing their elections and the majority if they can't use this tactic to federally take over our election system. It is sad, it is tragic, and it is unacceptable.

I warn them that the American people see through this ploy. They know what is happening, and they know why. They were promised a return to cordial statesmanship. They were promised unity. This attempt mocks both of these promises. It mocks the U.S. Senate. It mocks our system of checks and balances. Most tragically, it mocks the American people.

The PRESIDING OFFICER. The junior Senator from Iowa.

Ms. ERNST. Madam President, first, I would like to wish a very happy and healthy new year to you and to all of our staff and pages who make the Senate run so efficiently every single day and frequently late into the night. The world's most deliberative body has unpredictable hours, which all too often means missing important events with family because we are here going back and forth on the pressing issues of the day.

This is why we have a Senate, after all—to give voice to the various viewpoints of Americans from each State and then try to resolve those differences. It isn't always easy since, unlike the House of Representatives, the Senate's unique rules require us to work together across party lines.

I know what it is like to work with my Democratic friends. In fact, I was named as one of the most bipartisan Senators of either party in the past 25 years. That is what it takes to get things done here because the rules force us to reach consensus.

The Senate was created specifically to prevent a mob rule mentality. James Madison, the father of the Constitution, described the Senate as the “anchor” of the Federal Government that would act as a “necessary fence against fickleness and passion.” George

Washington famously said that the Senate was established to cool legislation passed by the House in the same way that a saucer cools hot tea.

Folks, we certainly have seen a lot of hot mess coming over from the House. It is very concerning that the saucer intended to cool heated passions is itself beginning to boil over as a result of hot air from within.

Senate Democrats are threatening to blow up the Senate to fundamentally change the U.S. Senate and to radically transform our country. It cannot be understated how detrimental this action would be to America. It would unravel two centuries of American representative democracy. It would silence millions of Americans and destroy what comity remains within this body.

I have to ask my colleagues, which side of history do you want to be on? Do you want to go down in history books as the ones who turned the Senate, the world's most deliberative body, into the House of Representatives?

The law of our land would dramatically sway back and forth, and the resulting political uncertainty would all but erase what little trust the people have in our governing institutions and lead to even greater political divisions. I don't think this is a future any of us want and certainly not the one that was promised by President Biden when he pledged—when he pledged—to the American people not to divide but to unify our country.

When the threat of blowing up the Senate arose during Mr. Biden's time in this institution, he spoke passionately against it. I don't often quote Joe Biden, but I would urge you all to listen to his full speech on the matter.

Madam President, I ask unanimous consent to have his speech printed in the CONGRESSIONAL RECORD following my remarks.

Then-Senator Biden warned:

History will judge us harshly, in my view, if we eliminate over 200 years of precedent and procedure in this body and, I might add, doing it by breaking a second rule of the Senate, and that is changing the rules of the Senate by a mere majority vote.

Senator Biden concluded:

This nuclear option is ultimately an example of the arrogance of power. It is a fundamental power grab by the majority party.

Flash-forward 17 years later. Joe Biden is still in Washington, and he and his Democratic counterparts are the ones who are exercising that arrogance of power.

Now as the President, Biden just yesterday declared:

We have no option but to change the Senate rules, including getting rid of the filibuster.

So how and why are we at a point where nuking the Senate could even be a possibility? Plain and simple: The Democratic leader, who has participated in hundreds of filibusters over the past 5 years—hundreds, folks; hundreds—wants to have his way regardless of the longstanding rules of this

institution, the viewpoints of other Senators, or even, folks—get this—the wishes of the citizens of his own State.

Just last week, the Democratic leader said the filibuster was being used to “embarrass the will of majority,” and therefore “the Senate will debate and consider changes to the Senate rules on or before January 17.”

Folks, it is not the Senate rules embarrassing the majority but, rather, their two-sided flip-flopping on the importance of the filibuster to this institution and to our democracy.

Not so long ago, the Democratic leader said that eliminating the filibuster would turn “the cooling saucer of democracy into the rubber stamp of dictatorship.” It will be “a doomsday for democracy.” Today, he is the one with the finger on the nuclear button, all because he can't get his way.

This is the kind of power grab you would expect from tyrants in socialist nations, who seem to be where the Democrats are taking many of their cues from these days. Tyranny is no way to run a democracy, and destroying the U.S. Senate for a power grab is certainly not the example we should be setting for the rest of the world.

But the hypocrisy doesn't end there, folks. Democrats are manufacturing hysteria that Republican-controlled States are placing what they consider “unfair restrictions” on voting as an excuse to blow up the Senate and thereby clear a pathway for the rest of their radical liberal agenda. The irony here is that New York, home of the Democratic leader, CHUCK SCHUMER, and Delaware, home of President Biden, have some of the most restrictive absentee voting laws in the entire country.

Just this past November, the Democratic leader's constituents—his constituents—overwhelmingly voted down a ballot initiative to allow absentee voting without providing an excuse and another proposal to permit unregistered voters from registering and then voting on election day. They were voted down—his constituents. So in New York, the only way to qualify for an absentee ballot is to be out of the country or sick or have a physical disability. No other reasons are permitted.

Now the senior Senator from New York is threatening to destroy the Senate to override the wishes of the residents of his very own State who voted against the policies he is trying to impose on every other State. Did you catch that, folks? He is overriding the will of the people in his own State. Does that sound like democracy to you? It is not Senate Republicans blocking the Democrat leader's agenda; it is his own constituents.

Folks, the reality is, this election takeover bill is just the beginning, used as an excuse by the majority leader to then break the Senate and strengthen his own grip on power.

This party boss mentality may work in New York, but, folks, the Senate is

not Tammany Hall. While Senate Democrats would have you believe Republicans are somehow limiting the rights of Americans to vote, they, in fact, are the ones plotting to silence millions of Americans.

The same partisans on the other side of the aisle who “boasted” of—air quotes right here, folks, you see them—they “boasted” just about a year ago of resisting. Just a year ago, they were encouraging resisting; filibustering and blocking just about every proposal or nominee put forth by the prior President.

Now they call this tool a threat to democracy. Remember, less than 2 years ago, following the very tragic death of George Floyd, the Senator from New York voted to block consideration of a police reform bill put forward by my friend Senator TIM SCOTT of South Carolina.

That is just one of the many other examples of commonsense bills the Democrats blocked for purely partisan reasons.

The real threat to democracy isn't the filibuster but those politicians who abuse the power with which they have been entrusted. The Democratic leader has already put a choke hold on democracy right here in the Senate, abusing his position to singlehandedly block other Senators from offering amendments to bills he chooses to bring to the floor.

If the majority wants to demonstrate a commitment to democracy, why not start right here in the Senate? Instead of threatening to have less deliberation, why not commit to more? Let's bring up bills that have already had broad bipartisan support, and let's allow more votes on amendments.

But rather than starting this new year with a resolution to take this approach and make the Senate a true example of democracy in action, where every voice is heard and respected, the Democratic leader penned each of us a bombastic letter written with the left's usual dramatic flair and theatrics, comparing the filibuster to a dead hand and promising to permanently alter the Senate unless we bend to his wishes.

The senior Senator from New York should leave the theater for Broadway, where it belongs. And before casting a vote that could fundamentally change the Senate forever, I would urge my Democratic colleagues to take some advice about the intended behavior of the Senate from our Nation's greatest statesman, George Washington, and cool it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RECORD

VOL. 151, NO. 69—MAY 23, 2005

Mr. BIDEN. Mr. President, my friends and colleagues, I have not been here as long as Senator Byrd, and no one fully understands the Senate as well as Senator Byrd, but I have been here for over three decades. This is the single most significant vote any one of

us will cast in my 32 years in the Senate. I suspect the Senator would agree with that.

We should make no mistake. This nuclear option is ultimately an example of the arrogance of power. It is a fundamental power grab by the majority party, propelled by its extreme right and designed to change the reading of the Constitution, particularly as it relates to individual rights and property rights. It is nothing more or nothing less. Let me take a few moments to explain that.

Folks who want to see this change want to eliminate one of the procedural mechanisms designed for the express purpose of guaranteeing individual rights, and they also have a consequence, and would undermine the protections of a minority point of view in the heat of majority excess. We have been through these periods before in American history but never, to the best of my knowledge, has any party been so bold as to fundamentally attempt to change the structure of this body.

Why else would the majority party attempt one of the most fundamental changes in the 216-year history of this Senate on the grounds that they are being denied ten of 218 Federal judges, three of whom have stepped down? What shortsightedness, and what a price history will exact on those who support this radical move.

It is important we state frankly, if for no other reason than the historical record, why this is being done. The extreme right of the Republican Party is attempting to hijack the Federal courts by emasculating the courts' independence and changing one of the unique foundations of the Senate; that is, the requirement for the protection of the right of individual Senators to guarantee the independence of the Federal Judiciary.

This is being done in the name of fairness? Quite frankly, it is the ultimate act of unfairness to alter the unique responsibility of the Senate and to do so by breaking the very rules of the Senate.

Mark my words, what is at stake here is not the politics of 2005, but the Federal Judiciary in the country in the year 2025. This is the single most significant vote, as I said earlier, that I will have cast in my 32 years in the Senate. The extreme Republican right has made Federal appellate Judge Douglas Ginsburg's "Constitution in Exile" framework their top priority.

It is their purpose to reshape the Federal courts so as to guarantee a reading of the Constitution consistent with Judge Ginsburg's radical views of the fifth amendment's taking clause, the nondelegation doctrine, the 11th amendment, and the 10th amendment. I suspect some listening to me and some of the press will think I am exaggerating. I respectfully suggest they read Judge Ginsburg's ideas about the "Constitution in Exile." Read it and understand what is at work here.

If anyone doubts what I am saying, I suggest you ask yourself the rhetorical question, Why, for the first time since 1789, is the Republican-controlled Senate attempting to change the rule of unlimited debate, eliminate it, as it relates to Federal judges for the circuit court or the Supreme Court?

If you doubt what I said, please read what Judge Ginsburg has written and listen to what Michael Greve of the American Enterprise Institute has said:

I think what is really needed here is a fundamental intellectual assault on the entire New Deal edifice. We want to withdraw judicial support for the entire modern welfare state.

Read: Social Security, workmen's comp. Read: National Labor Relations Board. Read: FDA. Read: What all the byproduct of that shift in constitutional philosophy that took place in the 1930s meant.

We are going to hear more about what I characterize as radical view—maybe it is unfair to say radical—a fundamental view and what, at the least, must be characterized as a stark departure from current constitutional jurisprudence. Click on to American Enterprise Institute Web site www.aei.org. Read what they say. Read what the purpose is. It is not about seeking a conservative court or placing conservative Justices on the bench. The courts are already conservative.

Seven of the nine Supreme Court Justices appointed by Republican Presidents Nixon, Ford, Reagan, and Bush 1—seven of nine. Ten of 13 Federal circuit courts of appeal dominated by Republican appointees, appointed by Presidents Nixon, Ford, Reagan, Bush 1, and Bush 2; 58 percent of the circuit court judges appointed by Presidents Nixon, Ford, Reagan, Bush 1, or Bush 2. No, my friends and colleagues, this is not about building a conservative court. We already have a conservative court. This is about guaranteeing a Supreme Court made up of men and women such as those who sat on the Court in 1910 and 1920. Those who believe, as Justice Janice Rogers Brown of California does, that the Constitution has been in exile since the New Deal.

My friends and colleagues, the nuclear option is not an isolated instance. It is part of a broader plan to pack the court with fundamentalist judges and to cower existing conservative judges to toe the extreme party line.

You all heard what Tom DeLay said after the Federal courts refused to bend to the whip of the radical right in the *Schiavo* case. Mr. DeLay declared: "The time will come for men responsible for this to answer for their behavior."

Even current conservative Supreme Court Justices are looking over their shoulder, with one extremist recalling the despicable slogan of Joseph Stalin—and I am not making this up—in reference to a Reagan Republican appointee, Justice Kennedy, when he said: "No man, no problem"—absent his presence, we have no problem.

Let me remind you, as I said, Justice Kennedy was appointed by President Reagan.

Have they never heard of the independence of the judiciary—as fundamental a part of our constitutional system of checks and balances as there is today; which is literally the envy of the entire world, and the fear of the extremist part of the world? An independent judiciary is their greatest fear.

Why are radicals focusing on the court? Well, first of all, it is their time to be in absolute political control. It is like, why did Willy Sutton rob banks? He said: Because that is where the money is. Why try it now—for the first time in history—to eliminate extended debate? Well, because they control every lever of the Federal Government. That is the very reason why we have the filibuster rule. So when one party, when one interest controls all levers of Government, one man or one woman can stand on the floor of the Senate and resist, if need be, the passions of the moment.

But there is a second reason why they are focusing on the courts. That is because they have been unable to get their agenda passed through the legislative bodies. Think about it. With all the talk about how they represent the majority of the American people, none of their agenda has passed as it relates to the fifth amendment, as it relates to zoning laws, as it relates to the ability of Federal agencies, such as the Food and Drug Administration, the Environmental Protection Agency, to do their jobs.

Read what they write when they write about the nondelegation doctrine. That simply means, we in the Congress, as they read the Constitution, cannot delegate to the En-

vironmental Protection Agency the authority to set limits on how much of a percentage of carcinogens can be admitted into the air or admitted into the water. They insist that we, the Senate, have to vote on every one of those rules, that we, the Senate and the House, with the ability of the President to veto, would have to vote on any and all drugs that are approved or not approved.

If you think I am exaggerating, look at these Web sites. These are not a bunch of wackos. These are a bunch of very bright, very smart, very well-educated intellectuals who see these Federal restraints as a restraint upon competition, a restraint upon growth, a restraint upon the powerful.

The American people see what is going on. They are too smart, and they are too practical. They might not know the meaning of the nondelegation doctrine, they might not know the clause of the fifth amendment relating to property, they may not know the meaning of the tenth and eleventh amendments as interpreted by Judge Ginsburg and others, but they know that the strength of our country lies in common sense and our common pragmatism, which is antithetical to the poisons of the extremes on either side.

The American people will soon learn that Justice Janice Rogers Brown—one of the nominees who we are not allowing to be confirmed, one of the ostensible reasons for this nuclear option being employed—has decried the Supreme Court's "socialist revolution of 1937." Read *Social Security*. Read what they write and listen to what they say. The very year that a 5-to-4 Court upheld the constitutionality of Social Security against a strong challenge—1937—Social Security almost failed by one vote.

It was challenged in the Supreme Court as being confiscatory. People argued then that a Government has no right to demand that everyone pay into the system, no right to demand that every employer pay into the system. Some of you may agree with that. It is a legitimate argument, but one rejected by the Supreme Court in 1937, that Justice Brown refers to as the "socialist revolution of 1937."

If it had not been for some of the things they had already done, nobody would believe what I am saying here. These guys mean what they say. The American people are going to soon learn that one of the leaders of the constitutional exile school, the group that wants to reinstate the Constitution as it existed in 1920, said of another filibustered judge, William Pryor that "Pryor is the key to this puzzle. There's nobody like him. I think he's sensational. He gets almost all of it."

That is the reason why I oppose him. He gets all of it. And you are about to get all of it if they prevail. We will not have to debate about Social Security on this floor.

So the radical right makes its power play now when they control all political centers of power, however temporary. The radical push through the nuclear option and then pack the courts with unimpeded judges who, by current estimations, will serve an average of 25 years. The right is focused on packing the courts because their agenda is so radical that they are unwilling to come directly to you, the American people, and tell you what they intend.

Without the filibuster, President Bush will send over more and more judges of this nature, with perhaps three or four Supreme Court nominations. And there will be nothing—nothing—that any moderate Republican friends and I will be able to do about it.

Judges who will influence the rights of average Americans: The ability to sue your HMO that denies you your rights; the ability to keep strip clubs out of your neighborhood—because they make zoning laws unconstitutional—without you paying to keep the

person from building; the ability to protect the land your kids play on, the water they drink, the air they breathe, and the privacy of your family in your own home.

Remember, many of my colleagues say there is no such thing as a right to privacy in any iteration under the Constitution of the United States of America. Fortunately, we have had a majority of judges who disagreed with that over the past 70 years. But hang on, folks. The fight over judges, at bottom, is not about abortion and not about God, it is about giving greater power to the already powerful. The fight is about maintaining our civil rights protections, about workplace safety and worker protections, about effective oversight of financial markets, and protecting against insider trading. It is about Social Security. What is really at stake in this debate is, point blank, the shape of our constitutional system for the next generation.

The nuclear option is a twofer. It excises, friends, our courts and, at the same time, emasculates the Senate. Put simply, the nuclear option would transform the Senate from the so-called cooling saucer our Founding Fathers talked about to cool the passions of the day to a pure majoritarian body like a Parliament. We have heard a lot in recent weeks about the rights of the majority and obstructionism. But the Senate is not meant to be a place of pure majoritarianism.

Is majority rule what you really want? Do my Republican colleagues really want majority rule in this Senate? Let me remind you, 44 of us Democrats represent 161 million people. One hundred sixty-one million Americans voted for these 44 Democrats. Do you know how many Americans voted for the 55 of you? One hundred thirty-one million. If this were about pure majorities, my party represents more people in America than the Republican Party does. But that is not what it is about. Wyoming, the home State of the Vice President, the President of this body, gets one Senator for every 246,000 citizens; California, gets one Senator for 17 million Americans. More Americans voted for Vice President Gore than they did Governor Bush. By majoritarian logic, Vice President Gore won the election.

Republicans control the Senate, and they have decided they are going to change the rule. At its core, the filibuster is not about stopping a nominee or a bill, it is about compromise and moderation. That is why the Founders put unlimited debate in. When you have to—and I have never conducted a filibuster—but if I did, the purpose would be that you have to deal with me as one Senator. It does not mean I get my way. It means you may have to compromise. You may have to see my side of the argument. That is what it is about, engendering compromise and moderation.

Ladies and gentlemen, the nuclear option extinguishes the power of Independents and moderates in this Senate. That is it. They are done. Moderates are important only if you need to get 60 votes to satisfy cloture. They are much less important if you need only 50 votes. I understand the frustration of our Republican colleagues. I have been here 32 years, most of the time in the majority. Whenever you are in the majority, it is frustrating to see the other side block a bill or a nominee you support. I have walked in your shoes, and I get it.

I get it so much that what brought me to the Senate was the fight for civil rights. My State, to its great shame, was segregated by law, was a slave State. I came here to fight it. But even I understood, with all the passion I felt as a 29-year-old kid running for the Senate, the purpose—the purpose—of extended debate. Getting rid of the filibuster has long-term consequences. If there is one

thing I have learned in my years here, once you change the rules and surrender the Senate's institutional power, you never get it back. And we are about to break the rules to change the rules.

I do not want to hear about "fair play" from my friends. Under our rules, you are required to get $\frac{2}{3}$ of the votes to change the rules. Watch what happens when the majority leader stands up and says to the Vice President—if we go forward with this—he calls the question. One of us, I expect our leader, on the Democratic side will stand up and say: Parliamentary inquiry, Mr. President. Is this parliamentarily appropriate? In every other case since I have been here, for 32 years, the Presiding Officer leans down to the Parliamentarian and says: What is the rule, Mr. Parliamentarian? The Parliamentarian turns and tells them.

Hold your breath, Parliamentarian. He is not going to look to you because he knows what you would say. He would say: This is not parliamentarily appropriate. You cannot change the Senate rules by a pure majority vote.

So if any of you think I am exaggerating, watch on television, watch when this happens, and watch the Vice President ignore—he is not required to look to an unelected officer, but that has been the practice for 218 years. He will not look down and say: What is the ruling? He will make the ruling, which is a lie, a lie about the rule.

Isn't what is really going on here that the majority does not want to hear what others have to say, even if it is the truth? Senator Moynihan, my good friend who I served with for years, said: You are entitled to your own opinion but not your own facts.

The nuclear option abandons America's sense of fair play. It is the one thing this country stands for: Not tilting the playing field on the side of those who control and own the field.

I say to my friends on the Republican side: You may own the field right now, but you won't own it forever. I pray God when the Democrats take back control, we don't make the kind of naked power grab you are doing. But I am afraid you will teach my new colleagues the wrong lessons.

We are the only Senate in the Senate as temporary custodians of the Senate. The Senate will go on. Mark my words, history will judge this Republican majority harshly, if it makes this catastrophic move.

Ms. ERNST. I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Democratic whip.

Mr. DURBIN. I ask unanimous consent that I be recognized for up to 15 minutes and Senators PADILLA and CANTWELL for up to 5 minutes each prior to the scheduled vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING RIGHTS ACT

Mr. DURBIN. Madam President, there are several issues swirling around the Senate at this moment. They relate to the voting rights of Americans. They relate to the voting rights of Senators—interesting that they would both be on parallel tracks as we debate them on the floor. It appears that the voting rights of Americans is witnessing a historic shift. You see, my Democratic Party, and yours, in history has a spotty record when it comes to voting rights. In fact, Southern States—then in the thrall of the Democratic Party—wrote a terrible record after the Civil War.

We released African Americans from slavery, guaranteed them the right to vote, and then watched what happened. There was jubilation all over the country, I believe, for the most part, and there was jubilation in the southern States by African Americans who had newfound freedoms they never dreamed of with the end of slavery. And they took them to heart. They did register to vote.

And there were dramatic differences in many States because in many States the slave population, the African-American population, was much larger than any voting had ever reflected, and now they had the chance. And as they were elected to local offices and even congressional seats and even a senatorial seat, there was a backlash from the White population.

This period of Reconstruction after the Civil War lapsed into a period of denial of the right to vote and elaborate plans by Whites—White Democrats, I might add—in southern States to manufacture obstacles to the voting of African Americans—poll taxes, for example, literacy tests, things that had little or nothing to do with citizenship but were designed expressly to jeopardize the voting opportunities for those without advanced educations or the kind of clout necessary to overcome.

And so the net result was the South went White again in terms of its political leadership. It was known as Jim Crow. And the Democratic Party of that day was behind it. The opposition came from Abraham Lincoln's party, the Republican Party. They were the ones for abolition of slavery. They were the ones who supported Reconstruction. They were the ones, by and large, who sent the Federal troops in to enforce equality in the South. But, ultimately, sadly, as a result of a brokered Presidential election, there was a concession made that gave to the Democrat Party-controlled South States' rights to determine voting standards. And that was the situation that applied in the United States from that period of time in the mid-19th century, until the 1960s, when this issue was debated anew, right here in Washington, right here in this Chamber.

And those who opposed striking down the Jim Crow laws, those who opposed efforts to deny to African Americans the right to vote, asserted one abiding principle: States rights. The States should be allowed to make this decision. It didn't go very far. It took a lot of years of debate, I might add, I don't want to oversimplify it.

But anyone who took the time to read this book, the Constitution of the United States, understands it is explicit. It doesn't take long to read the sections that are applying.

Listen to this and think in your mind whether there is any question who has the authority to determine the rules of Federal elections. And I read: "Article I, section 4—The Times, Places, and

Manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators."

The 15th Amendment went further on the issue of race, and the net result of it was the passage of some laws in the 1960s, the Voting Rights Act, and the establishment of standards to open up opportunities to vote in the South for people of color.

It took that long from the late 19th century to the 1960s before that issue was addressed effectively. But for the longest time, it became a consensus issue. Republicans were as supportive of this as Democrats. In fact, proportionally, they were more supportive. The Republican Party—the party of Abraham Lincoln—rejected the theory of States rights and said there will be Federal standards that are created and will be enforced on a bipartisan basis by Presidents of both parties.

It was an amazing evolution in America, considering what we had been through, a civil war and all that followed, to have reached the point where we said that the Federal Government could review decisions made by States if they, in any way, discriminate on a racial basis or any other basis in terms of ethnic identity.

That was so popular and so bipartisan that for years the renewal of that law was automatic. There was hardly a dissenting vote. Boy, have times changed. They have changed to the point where the Democratic Party is now supportive of the Voting Rights Act and what it sought to achieve. And the party of Abraham Lincoln, the Republican Party, comes to the floor every day and argues States rights.

Yes, we are back into that mode again, but the argument is coming from the Republican side of the aisle. The tables have turned. The Democratic Party of the South is a different party today, thank goodness, and a party that stands for the principle that people are entitled to the right to vote.

So we staged a national election in 2020. In light of the pandemic that was looming over this Nation, we opened up opportunities to vote, and two things happened. We had the most dramatic turnout of voters in the United States of America for the office of President. We had never seen that kind of turnout of voters.

And No. 2, when the Agencies of government took a close look at the votes that were cast, they found no evidence—virtually none—of voter fraud or manipulation of the outcome of the election.

It was obvious to all who were honest about it, including some Republicans who have said as much in the last few days. But one man dissented. That man, of course, was the former President of the United States, Donald Trump, the loser—the official loser—in the 2020 election.

He is still in total denial. His momentous ego cannot countenance the possibility of rejection by the American voters, and so he claims the Big Lie that somehow or another this vote was stolen from the poor little former President. Though he can't come up with any evidence to prove any aspect of that and has failed miserably virtually every time he has gone to Federal court to argue it, he still continues to make that argument.

It was that argument that was the inspiration behind the insurrectionist mob that was here in the Capitol Building a little over a year ago trying to stop the electoral college vote count. They failed, as they should have. The Constitution prevailed. The will of the American people prevailed. And so in legislatures across the country, including the State of Wisconsin, we see Republican legislatures saying that we are unhappy with the results in the 2020 election; we want to change the rules when it comes to voting in our State.

And almost without exception, every change in these Republican legislatures results in a limited time to vote, a limited ability to vote, new obstacles to vote, and on and on and on.

I have yet to see any of these Republican-led legislatures demonstrate an effort to the contrary, to expand the right to vote.

And so based on article I, section 4 of the U.S. Constitution, we have written a bill, a bill that establishes basic standards of voting across America as this document envisioned: standards for voter registration, standards for absentee ballots, standards for same-day registration, standards for making election day a national holiday. Every one of these things that we have proposed in our pending legislation is an expansion of opportunities to vote for eligible voters.

It gets down to the bottom line: When it comes to eligible voters, should we create obstacles of hardship or should we make it easy for them to vote without endangering their families, without losing their jobs, without hardship?

I think that is the basic mission of a democratic legislature, is it not: the greatest possible participation of the greatest number of voters? Then let them decide on issue after issue.

So that is the issue of voting rights in America that now comes to the floor of the U.S. Senate.

On the question of the voting rights of Senators, it is interesting to me, every morning, that those in the Chamber start the session by pledging allegiance to the flag. It is apparent, from some of the arguments on the Republican side, that they want to start this meeting of the Senate each day additionally with a pledge of allegiance to the filibuster.

Now, that is strange, because if you have any history in the U.S. Senate, you know what the filibuster has become. It is not an occasional problem and challenge. It is now the standard.

The filibuster, you see, requires 60 votes for passage of a measure in a body of 100 people. It is an extraordinary majority. It gives power to the minority, which the Senate, of course, was designed to do by giving two seats—two Senate seats—to every State, large and small, but it goes a step further.

Despite what you may have heard on the floor earlier, the use of the filibuster—I should say the abuse of the filibuster—has led to the elimination, virtually, of debate and amendments on the floor.

I have often said that if you are suffering from insomnia and watch C-SPAN and turn on the U.S. Senate, you will see a perfect room and structure for a wedding reception because there is always plenty of room on the floor of the Senate. We should be leasing this out and using the money to reduce the national debt, the Senators use it so infrequently.

There was a time—can you believe this now?—10 years ago, there was a time when 12 appropriation bills would come out of the committees and come to the floor and be subject to amendments, and we would take turns offering amendments to all 12 appropriations bills. That was the ordinary course of business. It is no longer the case. It hasn't been that way for 10 years.

And when it comes to the debate and amendments on all the other items, the numbers tell the story.

I want to thank my friend JEFF MERKLEY, who has done amazing research on the Senate and its procedures.

In the 109th Congress, we considered 314 amendments. That declined to just 26 amendments under Republican leadership in the last Congress. Twenty-six amendments in a year? Compared to 314? Thank you, to the filibuster. That is where we are today. Thank you, to the 60-vote requirement. That is where we are today. And thanks to my colleagues on the Republican side who are trying to ignore those numbers. They are so graphic.

On nominations, there were only three cloture motions in the history of the United States before 1975—three. After 1975 to now, 852 times cloture has been filed on nominations—852 weeks of Senate time potentially obstructed.

That is the Senate today. That is the Senate under a filibuster. And if this Senate is going to join the House in establishing standards for equal voting rights across America, the filibuster is the obstacle.

I know this story personally. I introduced the DREAM Act 20 years ago—20 years ago. And you say: Senator, I thought you were a hotshot legislator. What are you waiting for? Pass it. I sure wish I could.

I brought it to the Senate floor five times in that 20-year period, the DREAM Act to help young people living in this country to have a chance, a pathway to citizenship. On five different occasions it has been stopped by

filibuster. Don't tell me the filibuster opens debate and opportunity. The filibuster has shut down debate on the DREAM Act five times in the last 20 years, and that is just one isolated example that is personal to me. That is what the filibuster is all about. It is stopping us from doing anything substantial on voting rights. It is stopping us from passing the DREAM Act. It is stopping us from passing meaningful immigration reform.

The filibuster is designed for people who want to say no—no to progress, no to government, no to the Senate being engaged in the issues that affect the American people and families.

I have seen colleagues come to the floor on the Republican side with quotes from me defending the filibuster. That was when I was a hopeful person in the Senate.

My hope has been dashed by reality—by the reality of a Senate that has been shut down when it comes to national debate and shut down when it comes to national achievement.

That, to me, has got to come to an end. I am prepared to sit down with any Republicans of good will—and Democrats included—and come up with some meaningful rules.

You know, incidentally, that we are sitting here with a calendar that is loaded with nominations? It is not the filibuster, but it is something quite near to it, where one or two Republican Senators have decided that they don't want to take the ordinary course for nominations. They want to drag them out interminably.

That is unfair to President Biden. It is unfair to the American people. If you want to defeat a nomination, do your best. But to stop the debate of the Senate on these nominations to impose your will and to slow down the business of the Senate, I think is an unacceptable standard.

And so for the voting rights of American to have a chance to be protected and for the voting rights of Senators to finally be engaged on the floor in that process, we have to be ready to make a change. I am ready. And as I said, I am ready to do it on a bipartisan basis. But for goodness' sake, this empty, silent Chamber is no indication of what the Founding Fathers had in mind when they created this legislature.

We are supposed to be engaged in debate, not afraid of debate. We shouldn't be running off and hiding behind 60 votes. I am open for change. I wish some Republicans would join us.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from California.

NOMINATION OF GABRIEL P. SANCHEZ

Mr. PADILLA. Madam President, I rise today to urge my colleagues to join me in confirming Justice Gabriel Sanchez to the U.S. Court of Appeals for the Ninth Circuit.

Justice Sanchez has long been held in high esteem in California's legal circles. He brings thoughtfulness and empathy to every decision that he makes.

He was born and raised in Los Angeles and was the proud son of a single mother from Mexico. She raised him while working tirelessly to make ends meet. With her unwavering support, Justice Sanchez went on to earn degrees from Yale College, from Cambridge University, and graduated from Yale Law School.

He began his legal career as a law clerk to Judge Richard Paez on the Ninth Circuit, the same court where he is now nominated to serve. Justice Sanchez then went into private practice, as many young lawyers do, but he committed himself to engaging in the community deeply by providing pro bono legal services, so much so that in the year 2010, he earned a social justice award from the ACLU of Southern California for his work representing farm workers in a lawsuit to enforce workplace safety protections to help prevent deadly heat illnesses.

Justice Sanchez went on to serve with distinction in California State government; first, as a deputy attorney general, and then as a deputy legal affairs secretary to then-Governor Brown. There, he proved himself to be a critical thinker, a creative problem-solver, and a dedicated public servant.

In recognition of his work and his service, his even-handed judgments, and his great legal talent, Governor Brown appointed Justice Sanchez to the California Court of Appeals in 2018.

Justice Sanchez has earned a reputation as an outstanding jurist committed to justice for all.

I am confident that he will bring the same dedication to the bench of the Ninth Circuit, and I am proud to support his confirmation today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON BOSE NOMINATION

The question is, Will the Senate advise and consent to the Bose nomination?

Mr. BROWN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Vermont (Mr. SANDERS), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

The result was announced—yeas 68, nays 29, as follows:

[Rollcall Vote No. 6 Ex.]

YEAS—68

Baldwin	Bennet	Blunt
Barrasso	Blumenthal	Booker

Brown	Kaine	Rosen
Burr	Kelly	Rounds
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Lummis	Stabenow
Cassidy	Manchin	Sullivan
Collins	Markey	Tester
Coons	Menendez	Thune
Cortez Masto	Merkley	Tillis
Duckworth	Moran	Toomey
Durbin	Murkowski	Van Hollen
Fischer	Murphy	Warner
Gillibrand	Murray	Warnock
Graham	Ossoff	Warren
Grassley	Padilla	Whitehouse
Hassan	Peters	Wicker
Heinrich	Portman	Wyden
Hickenlooper	Reed	Young
Hirono	Romney	

NAYS—29

Blackburn	Hagerty	McConnell
Boozman	Hawley	Paul
Braun	Hoeben	Risch
Cornyn	Hyde-Smith	Rubio
Cotton	Inhofe	Sasse
Cramer	Johnson	Scott (FL)
Crapo	Kennedy	Scott (SC)
Cruz	Lankford	Shelby
Daines	Lee	Tuberville
Ernst	Marshall	

NOT VOTING—3

Feinstein	Sanders	Schatz
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

Mr. SCHUMER. Now, Mr. President, I ask to execute the previous order with respect to the Sanchez nomination.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Gabriel P. Sanchez, of California, to be United States Circuit Judge for the Ninth Circuit.

VOTE ON SANCHEZ NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Sanchez nomination?

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 7 Ex.]

YEAS—52

Baldwin	Duckworth	Klobuchar
Bennet	Durbin	Leahy
Blumenthal	Feinstein	Lujan
Booker	Gillibrand	Manchin
Brown	Graham	Markey
Cantwell	Hassan	Menendez
Cardin	Heinrich	Merkley
Carper	Hickenlooper	Murkowski
Casey	Hirono	Murphy
Collins	Kaine	Murray
Coons	Kelly	Ossoff
Cortez Masto	King	Padilla

Peters	Sinema	Warnock
Reed	Smith	Warren
Rosen	Stabenow	Whitehouse
Sanders	Tester	Wyden
Schumer	Van Hollen	
Shaheen	Warner	

NAYS—47

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeben	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Paul	Young
Fischer	Portman	

NOT VOTING—1

Schatz

The nomination was confirmed.

The PRESIDING OFFICER (Ms. SMITH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from South Dakota.

FILIBUSTER

Mr. THUNE. Madam President, the Democrats' campaign to break the Senate continues.

I want to read a quote:

The ideologues in the Senate want to turn what the Founding Fathers called the cooling saucer of democracy into the rubber stamp of dictatorship.

Not my words—those are the words of the current Senate Democrat leader back in 2005 when filibuster changes were under discussion. The current Democrat leader was once, in fact, a defender of the filibuster and the role it plays in ensuring that the minority party in the Senate and the Americans it represents have a voice. In fact, the minority leader at various times has described trying to get rid of the filibuster as “doomsday for democracy.” He described those who were behind the effort to try to get rid of the filibuster as being in support of turning America into “a banana republic.” Those were statements made by the current Democrat leader when he was defending the filibuster in years past.

In fact, a lot of my colleagues across the aisle have defended the filibuster and used the filibuster repeatedly when they were in the minority. In the last Congress alone, Democrats filibustered COVID relief legislation until they got a bill that they could support. They filibustered police reform legislation. They filibustered Israel legislation. They filibustered pro-life legislation—and on and on.

While Republicans certainly didn't enjoy it when Democrats used the filibuster when we were in the majority, we recognized that it meant that our Senate was working the way that the Founders intended—as a place of compromise and deliberation, where the minority, as well as the majority, was represented. That is why we resisted

repeated calls from the former President, our party's President, when we had the majority to abolish the filibuster.

Abolishing the filibuster certainly would have made it easier for us to advance important legislation—legislation that was of value to Members on our side, things that we wanted to see get done—but we knew that sacrificing the long-term good of the Senate and the country for short-term gain was not an acceptable course of action.

Let's be very clear that the gain would have been short term. If we had abolished the legislative filibuster, we could have passed a lot of important legislation, only to see it overturned as soon as Democrats took control of the legislative and executive branches. Once we returned to unified Republican government, we could, of course, have put our original legislation back in place. That is the kind ping-ponging that would be terrible for our country.

Sharp changes in Federal policy every few years would mean endless confusion for Americans. Plus, free of the moderating influence of the filibuster, legislation would almost unquestionably become more extreme, which would harden and intensify partisan division not just here in Congress but in the country as a whole. Ordinary citizens would look ever more distrustful at government, which would quickly come to be seen as government for Americans of one party only—the party of power.

Democrats should know all of the things that I am saying. After all, they were in the minority just 1 year ago. It is hard for me to understand how they could forget that. Do they think that because they have the majority now, that they will always have it? History would beg to differ.

I realize the Democrats have hopes that if they pass their election legislation, it will help them stay in power, but surely—surely—Democrats don't believe that they can maintain a permanent hold on government. There have been some pretty robust Senate majorities in American history, but sooner or later, power has always shifted, and the Presidency has shifted too.

Even if Democrats succeed in all of their election machinations, the day will come—and probably sooner rather than later—when their party will return to the minority, and I suspect that at that point, they would bitterly regret the loss of the legislative filibuster.

Democrats have already had cause to regret the loss of the filibuster for judicial nominations. More than one Democrat Senator has openly admitted regretting Democrats' move to abolish the filibuster for judges and other nominees.

The unravelling of the filibuster for judicial nominations should be a lesson to both parties on how well weakening the filibuster or creating a filibuster carve-out would work. Democrats carved out a filibuster exception for ex-

ecutive and judicial nominees, and Republicans took it to its logical conclusion.

A legislative filibuster carve-out would be the end of the legislative filibuster, period.

If Democrats' carve out an exception for election legislation, a future Senate would be likely to carve out an exception for something else and so on and so forth, until the filibuster was carved out of existence completely.

In fact, I strongly suspect that a filibuster carve-out solely for election legislation wouldn't even survive the coming year. I can imagine my Democrat colleagues quickly deciding that some other priority of theirs was also worthy of a special exemption. It is possible that the legislative filibuster would be gone before the end of this Congress.

Again, I urge my Democrat colleagues to remember their decision to remove the filibuster for judicial nominations and how quickly that came back to haunt them. They may like the idea of forcing through their legislation now, but sooner or later—and probably sooner—I can guarantee that they will regret it.

The filibuster and its protection for the rights of the minority are safe so long as neither party starts to chip away at it. Once one party starts weakening the filibuster, especially on a totally partisan basis, that will be the end of the filibuster and the end of real representation for the minority in Congress.

It is deeply disappointing that the Democrat leader and the President have abandoned their previous support for protecting representation for the minority. It is even more astonishing, really, that they have done so when they enjoy the narrowest majorities in Congress. It should be a reminder of how quickly Democrats could once again return to the minority and be in need of the legislative filibuster.

But I know that there are Democrats out there with serious doubts about their leadership's course of action. Some would express this doubt openly, but I suspect there are others who haven't spoken up who also have serious reservations. After all, a majority of the current Senate Democrat caucus signed a letter just 4 short years ago expressing their belief in the importance of the filibuster. I cannot believe that all of them would change their position merely because the political winds have shifted.

So I urge all of my Democrat colleagues to resist this blatant power grab by the Democrat leadership and preserve our longstanding commitment to representation for the minority in the U.S. Senate, the purpose for which this institution was created, and the Americans it represents.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

COMMENDING THE ACTIONS OF CUBAN HUMAN RIGHTS AND DEMOCRACY ACTIVIST JOSE DANIEL FERRER GARCIA, AND ALL PRO-DEMOCRACY AND HUMAN RIGHTS ACTIVISTS, IN DEMANDING FUNDAMENTAL CIVIL LIBERTIES IN CUBA AND SPEAKING OUT AGAINST CUBA'S BRUTAL, TOTALITARIAN COMMUNIST REGIME

Mr. SCOTT of Florida. Madam President, yesterday marked 6 months since July 11—a day when brave Cubans all across that island marched for democracy, cried out for freedom, and sent a clear message that the time was up for the illegitimate communist regime.

From Havana to Santa Clara to Santiago de Cuba, the message of "Patria y Vida!" could be heard from the people. Cuban families and demonstrators stood against the revolution's motto of "Patria o Muerte" to once again declare that the revolution had failed.

That failed revolution promised prosperity and equality for all, but the only equal thing about it was poverty, suffering, and oppression for all. We watched as families gathered outside the headquarters of the Cuban Communist Party to chant "Cuba isn't yours!" Their message was clear: It is time for a new day of freedom and democracy in Cuba.

Instead of listening to the cries of their people, the communist Cuban regime lashed out with violence and the oppression it has used for more than 60 years to silence opposition to its reign. The regime and its thugs kidnapped innocent democracy activists and kept others trapped in their homes. Right now, hundreds of Cubans have been indefinitely detained or unjustly sentenced to prison simply for demanding basic human rights.

Some of these protesters are facing prison sentences as long as 30 years. One of them is Jose Daniel Ferrer, the leader of the pro-democracy UNPACU group and a dedicated freedom and human rights activist. Since his detainment, I have had the chance to talk to his family several times. Each time we speak, the stories they tell me are more heartbreaking.

Jose Daniel is being tortured by the communist regime in an attempt to end his life. He is suffering from severe headaches, mouth bleeding, malnutrition, cough, and insomnia—all products of the cruel torture and inhumane treatment from the regime.

We can also think about Felix Navarro, another longtime freedom activist who helps lead a pro-democracy group on the island. He was arrested, not for demonstrating but for asking police about the status of some of the members of his group who had been detained.

Reports indicate even young teenagers are being detained indefinitely.

The unjust imprisonment, beatings, and torture of the Cuban people is abhorrent. It is inhumane, and it cannot

be tolerated. It is clear that these actions stem from the regime's paralyzing fear over the freedom movement spreading across Cuba. They are terrified that there is a new day of freedom on the rise for the Cuban people, so they resort to total oppression and to the silencing of any mention of independence or freedom.

As the greatest beacon of freedom and democracy in the world, the United States must stand against the communist regime and with the Cuban people. I am thankful that U.S. Assistant Secretary of State Brian Nichols recently called for the immediate release of the July 11 demonstrators. Along with his calls, we need the voices of President Biden and Secretary Blinken, and their calls need to be coupled with action that actually pressures the illegitimate communist Cuban regime now.

It was only a couple of weeks ago when I called the White House to talk about the case of Jose Daniel Ferrer. The first time I called, they asked me to leave a message, so I did. When I called the next day, the White House hung up on me.

Throughout his entire first year in office, Joe Biden has been shamefully silent about Cuba. Just like he does with communist China, Biden's strategy on Cuba is to do the bare minimum. Even while the protests were ongoing, he did nothing to alleviate the suffering of the Cuban people.

Compare that to the Organization of American States. After I spoke with them a few weeks ago, Secretary General Luis Almagro issued a statement demanding the immediate release of all arbitrarily imprisoned political prisoners. He expressed special concern for the well-being of Jose Daniel Ferrer and urged the Cuban regime to allow a humanitarian mission that can immediately verify the state and situation of political prisoners in the country.

Why can't Joe Biden make that same request? Where is the President? He has had 6 months to help provide internet to the Cuban people to help disseminate information and help the freedom movement, but he has done nothing. His silence is appeasement, and those of us who love freedom will not simply sit by idly while he refuses to act.

As long as the illegitimate communist Cuban regime continues to deny the people their freedom, democracy, and basic human rights, I am going to fight alongside them and demand action.

Today, the Senate can do something. Today, the U.S. Senate can pass a resolution honoring Cuban activists like Jose Daniel Ferrer, condemning the Cuban dictatorship's repression, and calling for the international community to stand with the Cuban people. I have introduced a resolution that does exactly that, and it is something that everyone in the Chamber should agree with.

I am thankful for Senators MARCO RUBIO and MIKE BRAUN for cospon-

soring this resolution. I am also thankful for MARIO DIAZ-BALART, Congresswoman SALAZAR, and Congressman GIMENEZ for introducing the companion resolution in the House.

We must make sure our message to the Cuban people is clear: America has not and will not forget you. We have seen your bravery and courage. We have heard your calls for freedom. You have risked everything for the freedom of Cubans across the island. You are an inspiration to us all.

I ask unanimous consent to address the Senate in Spanish.

The PRESIDING OFFICER (Mr. OSSOFF). Without objection, it is so ordered.

(English translation of the statements made in Spanish are as follows:)

We must make sure our message to the Cuban people is clear: America has not and will not forget you.

We have seen your bravery and courage. We have heard your calls for freedom.

You have risked everything for the freedom of Cubans across the island. You are an inspiration to us all.

Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 489, which is at the desk. I further ask that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, reserving the right to object, let me first say that I rise, in the first instance, before having heard the Senator's remarks, to say that I have serious concerns about the junior Senator from Florida's lack of respect for the regular order of the Senate.

On July 11, 2021, the Cuban people took to the streets in unprecedented protests, demanding democracy and the end of decades of dictatorship. Subsequently, the Senate came together in unanimous consent to pass my S. Res. 310. My bipartisan legislation expressed our unwavering solidarity with the Cuban people and called for the release of all political prisoners detained unjustly by the Diaz-Canel regime.

My legislation was the result of bipartisan negotiations, and it was approved unanimously by the Senate Foreign Relations Committee. That is what regular order looks like, and it is a process that strengthens the impact of our work on foreign policy when we can speak together in one voice to promote that foreign policy, whether it is to the Cuban regime or whether it is in any other place in the world.

Now, I need to make the point that the junior Senator from Florida routinely disregards this process. In this particular case, not only has this resolution not been marked up by the Senate Foreign Relations Committee, not only is it not bipartisan—as far as I know, nobody has been offered even the

opportunity to join it—but it hasn't even been introduced so that the Parliamentarian would decide where it would be sent to committee for referral for consideration. It hasn't even been introduced. It has not received the review it deserves. In fact, it has not received any formal review.

As I have repeatedly said as the chairman of the Senate Foreign Relations Committee, I stand ready to work with any Member—and have done so—on initiatives that advance the national security interests of the United States and the defense of democracy and human rights. While there may be some urgent moments that require us to move legislation directly to the floor, regular order exists for a reason—to facilitate consensus and ensure that the legislation we consider on the floor reflects the input and expertise of Senators who sit on the relevant committees of jurisdiction.

Now, I have spent the last several days listening to my Republican colleagues talk about the fullness of legislative debate, of not preempting legislative debate, of not preempting prolonged legislative debate in the context of the filibuster. Here is a piece of legislation that hasn't even been introduced, but it is being brought directly to the floor. How does that promote legislative debate? It doesn't. It doesn't.

I happen to agree with the Senator about his focus here as it relates to those who are struggling inside of Cuba to create freedom, but I want to send a clarion message that I will not simply allow legislation that is in the purview of the Senate Foreign Relations Committee to come directly to the floor without even an introduction, without review, without any debate, and then believe that one will just allow it to go through on unanimous consent. That is not how the Senate works.

I would urge the junior Senator from Florida to consider this for future legislative endeavors, especially as we are also concerned about the filibuster and extended debate. Well, this is the worst example of not having extended debate.

Lastly, I deeply disagree with the Senator's characterization—I wasn't even going to reference it—in having listened to his remarks, about the Biden administration. The Biden administration sanctioned individuals in Cuba, high-ranking individuals of the Cuban military, who have never been sanctioned before. The Biden administration led a multilateral effort for the condemnation of what happened in Cuba as a result of the citizens of Cuba seeking to simply redress their grievances against the dictatorship that exists there, and brought in countries that have never ever expressed themselves in such a way before. The Biden administration worked with the Secretary General of the OAS to take the strong position that the Senator referred to.

So I hate to say it, but this almost comes across as a naked, political, par-

tisan effort to try to promote some perspective when, in fact, we should be embracing this together through regular order, in a bipartisan process, which the Cuban people, particularly those suffering inside of Cuba, deserve. However, because of this particular moment and at this particular time and having given the Senator good notice about other future endeavors—this is not the first time—I will not object.

The PRESIDING OFFICER. If there is no objection, it is so ordered.

The resolution (S. Res. 489) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, I am glad to see this resolution pass.

I want to thank my colleagues, Senators MARCO RUBIO and MIKE BRAUN, for cosponsoring this resolution and Congressman DIAZ-BALART, Congresswoman SALAZAR, and Congressman GIMENEZ for supporting this resolution in the House.

In my roles as a U.S. Senator and the Governor of Florida, I have had the honor of meeting and speaking with countless Cubans who have risked their lives to flee Castro's brutal regime. Many of them came here with nothing, scarred by the oppression of the regime but hopeful for a new life. With what little they had, they started businesses and families and built thriving communities and are a major part of the economy of Florida.

We have all seen their resolve to fight for freedom, support their families, and contribute to their communities. They are an example of the American dream and a testimony to the ills of communism and socialism. The Cuban people are a source of inspiration for all of us. They show us what can be accomplished when you have freedom and opportunity.

That is why we continue to fight for the end of communism in Cuba and for the freedom and liberties of every Cuban family. It is why we should all join them and say "Abajo la Dictadura!" "Patria, vida y Libertad!"

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Maine.

FILIBUSTER

Ms. COLLINS. Mr. President, our democracy is protected by its institutional checks on unlimited power. The three branches of government are not the only manifestation of the careful balancing achieved by the Framers of the Constitution. Within the legislative branch, the Senate's unique traditions protect the rights of the minority party by allowing extended debate and by requiring a supermajority vote to pass legislation, with few exceptions. These rules have helped to make the U.S. Senate the greatest deliberative body in the world.

Before commenting further on the importance of the extended debate and the 60-vote requirement for passing legislation, I want to point out a critical protection built into the Senate's procedures. Changing the rules requires 67 votes, not 60 votes, not 51 votes—67 votes.

But in a power grab that would be incredibly destructive to the functioning of the Senate, the Democratic leader is proposing to circumvent the rules in order to eviscerate the filibuster because he does not have anywhere near the 67 votes required to rewrite the Senate rules. Instead, he will propose to "change the rules by breaking the rules," as former Democratic Senator Carl Levin, a true giant of the Senate, put it when arguing against a similar ploy in 2013.

As one of Senator Levin's predecessors, Arthur Vandenberg, warned in 1949, if the majority can change the rules of the Senate at will, "there are no rules except the transient, unregulated wishes of a majority of whatever quorum is temporarily in control of the Senate."

Both Senators Levin and Vandenberg actually favored the rule change being considered at the time, but each recognized that "breaking the rules to change the rules" would irreparably harm the Senate and, thus, our country.

Democrats well understand the consequences of what they are proposing. Just 5 short years ago, Senator Chris Coons and I wrote a letter urging Senate leaders to preserve the 60-vote threshold for legislation. That letter was signed by 61 Senators: 28 Republicans, 32 Democrats, and 1 Independent. This total not only represented a majority of Senators but also a majority of the Republican caucus, a majority of the Democratic Caucus, and the current Vice President.

How well I remember seeking signatures on the Senate floor for that letter. Holding a green folder with the letter inside, I approached Senators on both sides of the aisle to achieve my goal of a total of 60 Senators signing, representing a majority of each caucus.

Not a single Senator whom I approached said no to signing the letter, not one. Quite the contrary, each was eager to sign the letter, and many thanked me for leading the effort to make clear that whatever our disagreements on a supermajority vote for nominees, they were firmly committed to keeping the filibuster for legislation. They understood its vital importance to the Senate and to our country. This is what our letter stated, in part:

[W]e are united in our determination to preserve the ability of Members to engage in extended debate when bills are on the Senate floor.

We are mindful of the unique role the Senate plays in the legislative process, and we are steadfastly committed to ensuring that this great American institution continues to serve as the world's greatest deliberative body. Therefore, we are asking you to join us

in opposing any effort to curtail the existing rights and prerogatives of Senators to engage in full, robust, and extended debate as we consider legislation.

Mr. President, I ask unanimous consent that this bipartisan letter, dated April 7, 2017, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, April 7, 2017.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. CHARLES E. SCHUMER,
Democratic Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND DEMOCRATIC LEADER SCHUMER: We are writing to urge you to support our efforts to preserve existing rules, practices, and traditions as they pertain to the right of Members to engage in extended debate on legislation before the United States Senate. Senators have expressed a variety of opinions about the appropriateness of limiting debate when we are considering judicial and executive branch nominations. Regardless of our past disagreements on that issue, we are united in our determination to preserve the ability of Members to engage in extended debate when bills are on the Senate floor.

We are mindful of the unique role the Senate plays in the legislative process, and we are steadfastly committed to ensuring that this great American institution continues to serve as the world's greatest deliberative body. Therefore, we are asking you to join us in opposing any effort to curtail the existing rights and prerogatives of Senators to engage in full, robust, and extended debate as we consider legislation before this body in the future.

Sincerely,

Susan M. Collins; Orrin Hatch; Claire McCaskill; Lisa Murkowski; Christopher A. Coons; Joe Manchin; John McCain; Patrick Leahy; Roger Wicker; Luther Strange; Angus King; Michael Bennet; Amy Klobuchar; Robert P. Casey, Jr.; Martin Heinrich.

John Boozman; Lindsey Graham; Richard Burr; Mark Warner; Jerry Moran; Roy Blunt; Marco Rubio; Jeanne Shaheen; Thom Tillis; Sherrod Brown; Shelley Moore Capito; Kirsten E. Gillibrand; Brian Schatz; Michael Enzi; Dean Heller.

Cory Booker; Mazie Hirono; Dianne Feinstein; John Thune; Bill Cassidy; Heidi Heitkamp; Jeff Flake; Chuck Grassley; Maria Cantwell; Rob Portman; Lamar Alexander; John Kennedy; Jon Tester; Tom Carper; Pat Roberts.

Maggie Hassan; Tammy Duckworth; Jack Reed; Thad Cochran; Joe Donnelly; Ben Sasse; Todd Young; Kamala Harris; Bill Nelson; Johnny Isakson; Ed Markey; Mike Lee; Debbie Stabenow; Sheldon Whitehouse; Robert Menendez; Tim Kaine.

Ms. COLLINS. The culture of the Senate is built upon a foundation of respect and cooperation that is meant to transcend partisanship. It is a culture in which legislative goals are reached with patience, persuasion, and perseverance, not raw power.

I implore my colleagues to consider the ramifications for our country. Do we want laws enacted one year to be repealed 2 years later on a simple majority vote and then perhaps reenacted in another 2 years by just 51 votes?

Do we want major laws, significant changes in policy, to be rammed through the Senate without thoughtful debate and bipartisan support?

At a time when our country is deeply and closely divided, do we really want to worsen the polarization by improving significant changes in public policy by a narrow partisan vote?

We are now on the brink of heading down that dangerous road, a slippery slope toward a tyranny of the majority. Limiting the ability of Senators to engage in a debate on legislative matters would give the majority party unprecedented power to push through major changes without careful deliberation or bipartisan cooperation. Such a move would have lasting implications, as future majorities—whether Republican or Democratic—would have little incentive to work with the other party.

It is crucial that we work together and find common ground on the issues that matter most to the American people. Changing longstanding Senate rules to benefit one political party would discourage efforts to forge consensus and only serve to reinforce bitter partisan divisions.

I urge my colleagues to stand against this calamitous change and for the principles of compromise and cooperation that have long defined and been the hallmarks of the U.S. Senate.

Let us listen to the admonition of the Democratic leader when he spoke against changing the rules in 2017: "Let us go no further down this road."

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO STAFF SERGEANT JOHN "BIG JOHN" QUINTRELL

Mr. DAINES. Mr. President, today, I have the distinct honor of recognizing John "Big John" Quintrell of Helena, MT, for bravely serving our Nation during the Vietnam war and for his dedication to supporting the heroes who fought alongside him.

John served honorably in Vietnam from 1968 to 1969 with the Wolfhounds. I understand there are some Wolfhounds watching tonight. The Wolfhounds are the 2nd Battalion, 27th Infantry Regiment, 25th Infantry Division. And he received honors, including the Bronze Star with Valor and the Purple Heart.

Upon returning home, John was met with hostility and was shamed for his sacrifice in Vietnam by his fellow Americans. For the next 35 years, John, like so many of our veterans, kept that pain to himself.

In 2004, John opened a box—a box filled with items that brought back

memories of Vietnam—and he was inspired to host a reunion for his fellow Vietnam veterans.

For the very first time in over 35 years, these men were reunited. John's reunion gave these often-forgotten heroes a sense of peace, a sense of acceptance, friendship, and healing. And following that successful reunion, John and the other Wolfhounds were on a mission to find others who served beside them.

And since 2004, John has connected with over 125 Wolfhounds, and many have attended 1 of the 9 reunions John planned. After hearing John's story, his children and grandchildren worked to keep these reunions going and the legacy alive.

John's support for his fellow Wolfhounds extends far beyond the reunions he planned. In 2018, John decided to document the stories of the Wolfhounds and their time in Vietnam. To date, John has conducted over 90—90—video interviews, and because of John's work, future generations will have the opportunity to hear their relatives' firsthand account of service in Vietnam.

John decided to share his own story by publishing a book entitled "My 365 Days With the Wolfhounds in Vietnam," and he did that in 2021.

John's honest account of his experience in the Vietnam war has given countless veterans and their family members a sense of understanding, as well as healing. After years of suppressing memories of his time in Vietnam, John now shares his story. He shares his story with others and encourages them to share their own experience and find their own path to healing.

A big thanks to John's passion, and because of his dedication in supporting his fellow veterans, many soldiers are once again proud of their sacrifice to our great Nation. You see, John epitomizes the heart of a Montana veteran, whose selfless service has reached far beyond the battlefield. So I want to thank John. I want to thank John for his service to our great country and for the kindness he has shown to the heroes who served alongside him.

John, keep up the great work because you make Montana proud, and you make America proud.

The PRESIDING OFFICER. The Senator from Oklahoma.

VOTING RIGHTS

Mr. INHOFE. Mr. President, this week, the Democrats are forcing yet another show vote on the so-called voting rights legislation. They claim the right to vote is under attack by the States, and there is nothing that could be further from the truth.

Ahead of the 2020 elections, everyone from Vice President KAMALA HARRIS to Eric Holder to Stacey Abrams claimed that they were experiencing a wave of voter suppression. Now, that is very significant—a wave of voter suppression, as if they have to do something to change our system.

And the facts are so clear on that. You know, people lie around here, but the facts don't lie. The Census Bureau reported that the turnout in last year's election was 66.8 percent. Now, that was the highest voter turnout of the 21st century, and that turnout was higher across all demographics, as well as including minorities.

More than 90 percent of Americans think it is easy to vote. More than a third of them think the rules should be more stringent than they are today, and there is a good argument for that. But that argument is prevailing right now.

So once you see that the Democrats' Big Lie of rampant voter suppression is clearly false, why are they pushing this election takeover bill? They want to nationalize elections, putting the Federal Government in charge of something that the Constitution clearly says belongs to the State.

And just a few examples of what the bill would do: It would line the pockets of candidates with taxpayer dollars in order to run for office. It would restrict commonsense voter ID, supported by over 75 percent of the Americans, and mandate mail-in ballots and allow ballot trafficking—trafficking, that is when the unsupervised political operatives collect and submit absentee ballots—and it would make election day a Federal holiday, costing somewhere close to \$1 billion each time that it would be used.

Now, you don't have to take my word for it on how radical this is. Oklahoma's election board secretary—keep in mind, as in most States, it is non-political, nonpartisan in any way, and the guy's name is Paul Zirrax. He has called SCHUMER's legislation a "recipe for chaos."

Democrats can feel the American people turning against their agenda. And so they are desperate to rig elections in their favor, and they will do so by whatever means necessary—even killing rules that make the Senate the Senate.

This would poison bipartisan compromise in the Senate forever. My Democratic colleagues want you to forget that they were for the filibuster before they were against it. Just 5 years ago, 33 Senate Democrats, including then-Senator HARRIS, penned a letter demanding that we defend and retain it forever. So they were demanding that we retain the filibuster. But now they changed their mind, which means that they either have amnesia or that they see an opportunity to force their radical agenda on the American families.

If Democrats get their way on the filibuster, they won't stop taking over our elections. They will also pass their Green New Deal, their abortion on demand, amnesty, and pack the Supreme Court with activists to uphold their unconstitutional agenda.

I want to close by sharing a comment on the filibuster. The quote is this:

Getting rid of the filibuster has long-term consequences. If there's one thing that I

have learned in my years here, once you change the rules and surrender the Senate's institutional power, you never get it back.

Now, I didn't say that. That was said by President Joe Biden. He said it just in those words, and that might be the first time that we agree on something.

Likewise, Senator SCHUMER also said that getting rid of the legislative filibuster would be "doomsday for democracy." And I happen to agree with him on that, too.

I have served the people of Oklahoma in the Senate longer than anyone in history, and I feel strongly that the one thing that has protected our democratic Republic and ensured bipartisanism more than any other single thing is the Senate's protection of the voice of the minority.

That is what we are famous for. There is no one else that has that as a function to do it, and yet I am seeing some of the things that are going on right now.

President Biden said—keep this in mind—back in 2005: We have got to keep the filibuster.

Then in 2021, just the other day, he said: We have got to kill the filibuster.

He said that yesterday.

Senator SCHUMER, back in 2005, said killing the filibuster will be "doomsday for democracy," and now SCHUMER wants to kill the filibuster.

Senator COONS said, back in 2018: "I am committed to never voting to change the legislative filibuster." And now he is supporting killing the filibuster.

Senator KLOBUCHAR, back in 2017, said: "Let's keep that 60-vote threshold in place," which is the filibuster.

And now she said, just a few days ago: "I would personally get rid of the filibuster."

So here is what we are faced with: We know what is right, and we know what is wrong. It is very clear. Yet they are desperately trying to take a position that they have had for a long period of time. So we will continue to protect it. Both the President and Senator SCHUMER are trying to kill the filibuster, and we are not going to let that happen.

The PRESIDING OFFICER. The Senator from Wyoming.

Ms. LUMMIS. Mr. President, it is always an honor to address the people of the United States from the floor of the U.S. Senate, and tonight is no exception.

I want to thank my colleague from Oklahoma for his wonderful remarks.

In order to form a more perfect Union, our Founding Fathers gave us a government that filters the will of the majority through a deliberative process of amendment and debate. For centuries, this has meant that legislative change, while slower in the United States than in some other countries, is moderated through healthy compromises and informed by a greater number of voices. This, in turn, has tended to give us legislation that benefits more Americans.

In recent decades, one of the most important factors in this process has been the Senate filibuster. It is one of the defining characteristics that sets the Senate apart from the House, and I served in the House. I remember how frustrating it was to send bill after bill to the Senate only to watch those bills die.

But because the House is set up on a more partisan basis, some of the bills we sent over here were pretty partisan. So the Senate has a chance to either look at those and reject them as purely partisan or, more frequently, take up bills that have been crafted on a bipartisan basis in this body, and I respect that.

The House is about simple majority rule, but the Senate, thanks in part to the filibuster, is defined by the rights of the minority party. Simply put, it gives the party not in power a voice to speak for forgotten Americans and for small States like Wyoming.

I am continually amazed at the whip-lash-inducing about-face that Senate Democrats are doing on this issue. It was mentioned earlier by the previous speaker. Senate Democrats may be trying to end the filibuster today, but until recently, they sang a very different tune. As was pointed out, Majority Leader SCHUMER, in 2005, said that abolishing the filibuster would be doomsday for democracy—doomsday. Majority Whip DURBIN said in 2018 that ending the filibuster would be the end of the Senate as was originally devised and created going back to our Founding Fathers. Vice President HARRIS signed a letter in 2017, with 31 Democratic Senators, urging the protection of the filibuster. President Biden was also a big supporter of the filibuster, calling it a Senator's right to require 60 votes for legislation and claiming that efforts to undermine the filibuster are a "power grab" by the majority party.

Well, today President Biden and Senate Democrats are trying to do just that, grab power. They are trying to overhaul our voting system by nuking the filibuster and seizing unchecked power.

Some of their more levelheaded and forward-thinking colleagues really are hesitant to do that. To their great credit and to the benefit of the institution of the Senate, my colleagues KYRSTEN SINEMA and JOE MANCHIN recognize that what goes around comes around. Senator MANCHIN criticized the idea of a filibuster carve-out for election takeover legislation saying that "anytime there's a carve-out, you eat the whole turkey." There is nothing left.

Senator SINEMA wrote in the Washington Post that Democrats had more to lose than gain by changing filibuster rules, noting that the best way to achieve durable lasting results is through bipartisan cooperation.

You know, I agree. We saw earlier this year, the infrastructure bill was the product of bipartisan discussion,

and it produced legislation that had an overwhelming majority of the votes in the Senate. Now, I was not a “yes” vote on that bill. I was a “no” vote on that bill. I felt it spent too much money, but I will say this. It was a fine work product that was developed by people of good will in both parties. They accepted ideas that I had and that others of us had who eventually voted against the bill, and they worked tirelessly for months. They would not give up because they recognized that when you can get a significant majority in this Senate to support something on a bipartisan basis, you have a better product for the Nation.

And I will say, I am proud of their work. I compliment them as frequently as I can for that work product, even though I didn’t vote for it. It was an example of true bipartisanship, a true bipartisan compromise.

That is another reason that I have worked with my friend from Arizona Senator SINEMA and with my friend from Oregon RON WYDEN on financial innovation. I had never met RON WYDEN until that bill. That infrastructure bill came to the floor, and it had an amendment on the definition of broker that would apply in financial innovation instances. It did not adequately represent what really happens in the world of digital assets.

So Senator WYDEN and I met here on the floor. We became friends and started working on financial innovation issues, digital assets. And even though we were unsuccessful in changing the definition of “broker” in that bill, it forged a working friendship that I am confident will last for as long as I am here and as long as he is here together.

That is one of the reasons that I have come to believe so strongly in the filibuster. I saw it work in that specific piece of legislation, even in my first year in the U.S. Senate. It is why I have worked with SHELDON WHITEHOUSE from Rhode Island on a foreign agent registration reform. It is why I have worked with other Members of the other party on issues where we see more common ground than we see differences.

If you want lasting change, it requires broad bipartisan support. Otherwise, the next administration will work to overturn your actions.

The last time Democrats changed the filibuster, it ultimately led to three Supreme Court Justices picked by President Trump. If Democrats thought that was bad, they should think carefully before changing the filibuster for other legislation. We should all think long and hard, as we prepare to vote, over this radical proposal.

I implore my Democratic colleagues, consider when the Senate was in Republican hands and when President Trump wanted Republicans to end the filibuster. Republicans rejected the Republican President’s request to end the filibuster, and they did it out of respect for this institution. I am sure it was frustrating for the previous President.

In some ways, it was frustrating for people like me.

I was not in Washington during the 4 years of the Trump Presidency. I was here during the 8 years of the Obama Presidency, serving in the House. I was not here during the Trump Presidency. I was back in Wyoming. In that time, you know, we were characterized as being a big red State, where a bunch of people in a “basket of deplorables”—I was in there with them—were living and clinging to their guns and their Bibles and we were treated like outcasts in our own country and it felt antagonistic. It was part of what creates this great divide that this country is in right now. That is how we felt about ourselves.

I have to tell you, that is how we felt when President Biden went to Georgia and gave a speech and compared anyone who didn’t support election reform to people like George Wallace. He compared people in my State and me, quite frankly, to a bunch of racists. That rhetoric is so damaging to trying to heal this country.

We all know our Nation is divided right now. Yesterday didn’t help. If we want a more perfect Union than we have today, we need more compromise, not less. That is why we have institutional norms like the filibuster. When one party starts tearing up the norms, they might gain in the short term, but they do irreversible, lasting damage not only to our institutions but to our “e pluribus unum,” “out of many, one.” If we want to be one, we should keep the filibuster in place.

As those entrusted with the upkeep of our Constitution for future generations, we need to take a longer term view of what will be best for the country, not just our short-term political aspirations. Our Founders understood that the ends do not always justify the means. That is why we have the separation of powers—two Chambers of Congress and a Bill of Rights that protects the individuals, that protects freedom. Sometimes you have to choose the harder right over the easier wrong. Compromise is hard. I will tell you, I am not all that good at it. I am trying to learn from the people in this Senate Chamber who are so successful at it.

You know, the American people have placed a great deal of faith in each one of us to get this done. I have faith in us as well.

I will admit that I really disliked my first year in this U.S. Senate. It was a huge disappointment to me. It was ugly. It was nasty. It seemed un-American.

But I still have faith in us. We need to protect our institutions. One of those institutions is the filibuster. I think it will allow us to continue to be a nation that is out of many and yet is still one. God willing, that will be the case.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KELLY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. OSSOFF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. OSSOFF. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO RABBI MOSHE FELLER

Ms. KLOBUCHAR. Mr. President, I rise to recognize Rabbi Moshe Feller for the beautiful prayer he offered us this week. He could be considered a prolific guest chaplain—having led both Houses of Congress in prayer a combined 10 times over the last several decades. Each time, his wisdom, his faith in God, and his regard for the work of this body have all shined through. Today was no exception.

It was particularly special to know that he was joined by one of his sons, Rabbi Menachem Mendel Feller, as well as three of his grandchildren, Rabbi Tzemach Feller, Rabbi Yossi Feller, and Moussie Feller. I am confident that his other son, Rabbi Levi Feller, and his many other grandchildren were excitedly watching from home. And I know that if Mindelle, Rabbi Moshe Feller’s wife of 56 years who passed away in 2017, were still with us today, she too would be so proud.

I have had the honor of meeting Rabbi Feller many times over the years, and I am glad he was able to return to this Chamber today.

In addition to being the longest serving Rabbi in Minnesota, Rabbi Feller leads the Upper Midwest Merkos Chabad Lubavitch in St. Paul and is a member of the board of Merkos L’Inyonei Chinuch, the education arm of the International Chabad movement. Through his work, he mentors and inspires people of all faiths in Minnesota and across the country. A passionate and dedicated leader, he has been instrumental in cultivating Jewish life in Minnesota, and his numerous contributions have enriched our State as a whole.

Whether by overseeing the founding and establishment of over 30 Jewish institutions in the Midwest or by serving as a counselor and mentor to those seeking to grow closer to their faith, Rabbi Feller unwaveringly answers the call.

With his remarks this morning, Rabbi Feller offered a clarion reminder

Nominee: Amy Gutmann.

Post: Ambassador to Germany.

(The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Michael Doyle (spouse): \$2,800, 4/25/2019, Biden For President.

Eric M. Garcetti, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of India.

Nominee: Eric Michael Garcetti.

Post: Ambassador Extraordinary and Plenipotentiary to the Republic of India.

(The following is a list of members of my immediate family. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

Self: \$125.00, 04/16/2021, California Democratic Party; \$82.97, 09/12/2020, DNC Services Corp/ Democratic National Committee; \$182.97, 09/12/2020, DNC Services Corp/ Democratic National Committee; \$182.97, 09/12/2020, Biden Victory Fund; \$82.97, 09/12/2020, Biden Victory Fund; \$2,800, 09/01/2020, Biden for President; \$500, 04/29/2020, Deborah Ross for Congress; \$2,800, 02/08/2020, Biden for President.

Spouse: \$2,800, 12/29/2019, CORY 2020; \$1,000, 05/15/2019, DNC Services Corp/Democratic National Committee; \$1,500, 07/16/2018, Stone-wall Democratic Club FED PAC.

Oren E. Whyche-Shaw, of Maryland, to be United States Director of the African Development Bank for a term of five years.

Enoch T. Ebong, of the District of Columbia, to be Director of the Trade and Development Agency.

Alice P. Albright, of the District of Columbia, to be Chief Executive Officer, Millennium Challenge Corporation.

Lisa A. Carty, of Maryland, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

Mr. MENENDEZ, Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Foreign Service nomination of Leon Skarshinski.

Foreign Service nominations beginning with John Breidenstine and ending with Michael Lally, which nominations were received by the Senate and appeared in the Congressional Record on July 19, 2021.

By Ms. STABENOW for the Committee on Agriculture, Nutrition, and Forestry.

*Chavonda J. Jacobs-Young, of Georgia, to be Under Secretary of Agriculture for Research, Education, and Economics.

*Margo Schlanger, of Michigan, to be an Assistant Secretary of Agriculture.

By Mr. CARPER for the Committee on Environment and Public Works.

*Martha Williams, of Montana, to be Director of the United States Fish and Wildlife Service.

*Henry Christopher Frey, of North Carolina, to be an Assistant Administrator of the Environmental Protection Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COTTON:

S. 3481. A bill to secure the dignity and safety of incarcerated women; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 3482. A bill to designate the facility of the United States Postal Service located at 3493 Burnet Avenue in Cincinnati, Ohio, as the "John H. Leahr and Herbert M. Heilbrunn Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COONS:

S. 3483. A bill to amend title 38, United States Code, to extend increased dependency and indemnity compensation paid to surviving spouses of veterans who die from amyotrophic lateral sclerosis, regardless of how long the veterans had such disease prior to death, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOOKER (for himself, Mrs. GILLIBRAND, Mr. MENENDEZ, and Mr. SCHUMER):

S. 3484. A bill to establish the New York-New Jersey Watershed Restoration Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CRUZ:

S. 3485. A bill to ensure that the right to vote shall not be impaired due to vaccination status; to the Committee on Rules and Administration.

By Mr. SANDERS (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mr. MARKEY, Mr. MERKLEY, Mr. PADILLA, Mr. PETERS, Mr. SCHUMER, Ms. SMITH, Mr. VAN HOLLEN, Ms. WARREN, Mr. WYDEN, and Mr. HEINRICH):

S. 3486. A bill to provide, manufacture, and distribute high quality N-95 respirator masks for every individual in the United States during the COVID-19 pandemic using the Defense Production Act and other means; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SINEMA (for herself, Mr. PORTMAN, Mr. PADILLA, and Mr. PETERS):

S. 3487. A bill to amend title 5, United States Code, to increase death gratuities and funeral allowances for Federal employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. DURBIN, Mr. CARDIN, Mrs. SHAHEEN, Mr. COONS, Mr. MURPHY, Mr. Kaine, Mr. MARKEY, Mr. MERKLEY, Mr. BOOKER, Mr. SCHATZ, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mr. WYDEN, Mr. REED, Mr. CARPER, Ms. STABENOW, Ms. KLOBUCHAR, Mr. TESTER, Mr. WARNER, Mr. BENNET, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. BALDWIN, Ms. HIRONO, Mr. HEIN-

RICH, Ms. DUCKWORTH, Ms. HASSAN, Ms. ROSEN, Mr. KELLY, Mr. LUJAN, Mr. HICKENLOOPER, Mr. PADILLA, Ms. SMITH, Mr. PETERS, Mrs. MURRAY, Mr. WHITEHOUSE, and Mr. CASEY):

S. 3488. A bill to counter the aggression of the Russian Federation against Ukraine and Eastern European allies, to expedite security assistance to Ukraine to bolster Ukraine's defense capabilities, and to impose sanctions relating to the actions of the Russian Federation with respect to Ukraine, and for other purposes; read the first time.

By Mr. BARR (for himself and Mr. HICKENLOOPER):

S. 3489. A bill to establish or continue a multidisciplinary research program to advance the discovery and preclinical development of medical products for priority virus families and other viral pathogens with a significant potential to cause a pandemic, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TILLIS:

S. 3490. A bill to amend the Federal Reserve Act to bring the non-monetary policy related functions of the Board of Governors of the Federal Reserve System into the appropriations process, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HAGERTY (for himself and Mr. CARDIN):

S. 3491. A bill to establish a commission to reform and modernize the Department of State; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself and Mr. HAGERTY):

S. 3492. A bill to address the importance of foreign affairs training in national security, and for other purposes; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself and Ms. COLLINS):

S. 3493. A bill to require guidance on extending expiration dates for certain drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. OSSOFF (for himself and Mr. KELLY):

S. 3494. A bill to amend the Ethics in Government Act of 1978 to require Members of Congress and their spouses and dependents to place certain assets into blind trusts, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCOTT of South Carolina (for himself, Mr. THUNE, Ms. ERNST, Mr. RUBIO, Mr. LANKFORD, Mr. GRASSLEY, Mr. HOEVEN, Mr. SCOTT of Florida, Mr. HAGERTY, Mr. YOUNG, and Mr. DAINES):

S. 3495. A bill to create a point of order against spending that will increase inflation unless inflation is not greater than 4.5 percent, and for other purposes; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. BALDWIN (for herself and Mr. JOHNSON):

S. Res. 487. A resolution congratulating the University of Wisconsin Badgers on winning the 2021 National Collegiate Athletic Association Division I Women's Volleyball Championship; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN (for herself and Mr. JOHNSON):

S. Res. 488. A resolution congratulating the University of Wisconsin-Eau Claire Blugolds on winning the 2021 National Collegiate Athletic Association Division III Women's Volleyball Championship; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT of Florida (for himself, Mr. BRAUN, and Mr. RUBIO):

S. Res. 489. A resolution commending the actions of Cuban human rights and democracy activist Jose Daniel Ferrer Garcia, and all pro-democracy and human rights activists, in demanding fundamental civil liberties in Cuba and speaking out against Cuba's brutal, totalitarian Communist regime; considered and agreed to.

ADDITIONAL COSPONSORS

S. 72

At the request of Mr. VAN HOLLEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 72, a bill to require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act.

S. 98

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 98, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for neighborhood revitalization, and for other purposes.

S. 456

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 456, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 464

At the request of Ms. MURKOWSKI, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 464, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 834

At the request of Mr. MENENDEZ, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 880

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 880, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes.

S. 902

At the request of Ms. KLOBUCHAR, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor

of S. 902, a bill to authorize a grant program for the development and implementation of housing supply and affordability plans, and for other purposes.

S. 936

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 936, a bill to require online marketplaces to collect, verify, and disclose certain information regarding high-volume third party sellers of consumer products to inform consumers.

S. 1596

At the request of Mr. ROUNDS, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1596, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National World War II Memorial in Washington, DC, and for other purposes.

S. 1725

At the request of Mr. ROUNDS, the names of the Senator from Colorado (Mr. HICKENLOOPER) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 1725, a bill to grant a Federal charter to the National American Indian Veterans, Incorporated.

S. 2710

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2710, a bill to promote competition and reduce gatekeeper power in the app economy, increase choice, improve quality, and reduce costs for consumers.

S. 3052

At the request of Mr. MARKEY, the names of the Senator from Delaware (Mr. COONS) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 3052, a bill to promote free and fair elections, democracy, political freedoms, and human rights in Cambodia, and for other purposes.

S. 3232

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 3232, a bill to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for freestanding clothing storage units to protect children from tip-over related death or injury, and for other purposes.

S. 3318

At the request of Mr. COTTON, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3318, a bill to deter foreign financial institutions from providing banking services for the benefit of foreign terrorist organizations and from facilitating or promoting payments for acts of terrorism.

S. 3380

At the request of Ms. KLOBUCHAR, the names of the Senator from Wisconsin

(Ms. BALDWIN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 3380, a bill to prohibit the Administrator of the Environmental Protection Agency from retroactively reducing certain determinations under the Renewable Fuel Program, and for other purposes.

S. 3412

At the request of Mr. THUNE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3412, a bill to prohibit the use of Federal funds to enforce the rule submitted by the Department of Health and Human Services relating to COVID-19 vaccine and mask requirements for Head Start programs.

S. 3436

At the request of Mr. CRUZ, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 3436, a bill to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes.

S. 3463

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 3463, a bill to impose sanctions and other measures in response to the failure of the Government of the People's Republic of China to allow an investigation into the origins of COVID-19 at suspect laboratories in Wuhan.

S. RES. 35

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 35, a resolution condemning the military coup that took place on February 1, 2021, in Burma and the Burmese military's detention of civilian leaders, calling for an immediate and unconditional release of all those detained and for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

S. RES. 390

At the request of Mr. GRAHAM, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. Res. 390, a resolution expressing appreciation for the State of Qatar's efforts to assist the United States during Operation Allies Refuge.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Mr. HAGERTY):

S. 3492. A bill to address the importance of foreign affairs training in national security, and for other purposes; to the Committee on Foreign Relations.

Mr. CARDIN. Mr. President, I rise today to introduce an act, co-sponsored

by Senator HAGERTY, that addresses the importance of foreign affairs training to national security and, more specifically, intends to improve training and professional development of the Foreign Service officers and civil service staff at the U.S. State Department.

This act calls for the State Department to move beyond its traditional approach towards a more robust professional training program, incorporating innovative education and training courses, methods, and opportunities. Employees of the State Department have a long, honorable tradition of providing excellence in diplomacy, but it is time to modernize the training and professional development they receive, enabling them to more effectively promote our national security interests abroad and ensuring the retention of our best and brightest employees.

The legislation will accomplish the following: provide a more effective and updated training program for employees of the State Department, to include increased virtual instruction that is interactive and more accessible to personnel deployed around the world, as well as increased training provided by partner organizations such as universities, industry entities, and non-governmental organization, NGOs; establish a Chief Learning Officer position to serve as the principal adviser to the Secretary of State and strategist for State Department training and development; and establish a nonpartisan Board of Visitors to provide independent advice and recommendations regarding training at the Foreign Service Institute.

Other key elements of the legislation include establishment of a clear link between required employee training and promotional opportunities and assignments at the State Department; a “training float” strategy that will allow 10 to 15 percent of Foreign Service and civil service officers and staff to participate in training at any given time; a call for the State Department to establish new fellowship programs for Foreign Service and civil service officers and staff in addition to the current Pearson and Brookings Fellowship Programs, allowing them to participate in short- and long-term opportunities at think tanks, nongovernmental organizations, the Department of Defense, industry entities, and relevant university programs; and establishment of a Center for Innovation in Training and a Provost position at the Foreign Service Institute, to evaluate all courses and curriculum offered by FSI and identify necessary updates to meet the frequent changes required by officers due to changing global dynamics.

The Department of State is a crucial national security agency, whose employees, both Foreign Service and civil service, require the best possible training at every stage of their careers to prepare them to promote and defend U.S. national interests and the health and safety of U.S. citizens abroad.

As chair of the Subcommittee on U.S. State Department and USAID Management, International Operations, and Bilateral International Development, along with Ranking Member Senator HAGERTY, I have presided over the first two in a planned series of subcommittee hearings on modernization of the State Department. The most recent hearing, held in November of last year, made clear that the numerous studies issued about the State Department's need to change its culture, starting with an innovative training and professional development program, were on the mark.

During the hearing, we heard that “everything is fine” at State in terms of training, while the Department's retention rate indicates the loss of experienced Foreign Service officers and civil servants. External witnesses Ambassador David Miller, president of the Diplomatic Studies Foundation, and Joshua Marcuse, who formerly served as the Executive Director of the Defense Innovation Board, painted a very different picture, calling for an overarching effort to change the culture of the State Department—which as one of the oldest Federal Departments is steeped in tradition and protocol—to transform it once again into the lead Agency executing American foreign policy overseas.

The level of challenges the State Department faces now around the world are almost unprecedented, with the return of great power competition, the rise of authoritarianism, the collapse of Afghanistan, climate change, the COVID-19 pandemic, and—not least—assisting American citizens around the world. Professional education and training must be top priorities at the State Department, and we must strengthen the professionalization of our diplomats through a career-long program that focuses on mastery of substantive foreign policy issues, diplomatic expertise, superb customer service for American citizens abroad, and leadership.

Secretary of State Antony Blinken gave a speech last fall on “Modernizing American Diplomacy,” and one of the five pillars he described is that of building and retaining a diverse, dynamic, and entrepreneurial workforce, and empowering and equipping State Department employees to succeed. This bill will kick-start the rebuilding effort Mr. Blinken spoke about, putting the emphasis on training and professional development of the Department's greatest asset: its people.

I remain committed to continuing to work with the Biden administration and my colleagues in Congress to provide every opportunity for State Department employees to receive the best possible training at every stage of their careers, to prepare them to promote and defend U.S. national interests and the health and safety of U.S. citizens abroad.

By Mr. CARDIN (for himself and Ms. COLLINS):

S. 3493. A bill to require guidance on extending expiration dates for certain drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. CARDIN. Mr. President, I rise today to highlight legislation I am introducing with the senior Senator from Maine, Ms. COLLINS, to address prescription drug shortages. We rely on prescription drugs to battle infectious diseases like SARS-CoV-2, for the treatment of cancer and hormonal disorders and in countless other facets of modern medicine. When drug shortages, which are unforeseen supply disruptions, occur, healthcare teams must scramble to develop new plans of care because the optimal treatment is no longer available. The Drug Shortages Shelf Life Extension Act will help tackle drug shortages by enabling the Food and Drug Administration, FDA, to extend the shelf of certain drugs at risk of shortage in a safe fashion.

Prescription drug shortages are a persistent problem, leading to diminished access to vital medications and potentially catastrophic outcomes for patients. FDA wrote in its 2019 Drug Shortages Task Force Report that discarding drugs if they exceed an unnecessarily short expiration date can exacerbate drug shortages. Essentially, the shelf life for certain drugs can be safely extended, and I support empowering authorities to do so to prevent drug shortages.

Last year, I introduced the Drug Shortages Prevention & Quality Improvement Act. The legislation would address some of the main causes of drug shortages and provide solutions to mitigate their effects. The legislation would give the FDA additional tools to mitigate drug shortages, such as extending shelf lives for certain essential drugs. This legislation also seeks to address prescription drug shortages by creating incentives for manufacturers to upgrade their facilities to prevent shortages. Some of the facilities FDA has tied to drug shortages have been operating continually since the 1960s with minimal upgrades to manufacturing lines and facilities. The FDA Drug Shortages Task Force report found that quality concerns caused 62 percent of drug shortages from 2013 to 2017.

Last April, Senate Health, Education, Labor and Pensions, HELP, Committee Chair MURRAY and Ranking Member BURR announced plans to develop a bipartisan initiative to prepare the Nation for future public health emergencies in light of the COVID-19 pandemic. I applaud this effort to modernize our national response efforts for the current pandemic and future pandemics and look forward to consideration of this legislation on the floor of the Senate. I was particularly pleased to see language included in the HELP Committee's discussion draft for this preparedness initiative from the Drug Shortages Shelf Life Extension Act. Extending shelf lives of certain

drugs is not only critical to prevent drug shortages but also to enable our prescription drug supply chain to be more responsive and better prepared to respond to public health emergencies.

Domestically, we continue to battle the COVID-19 pandemic. We are nearing record-high hospitalizations due to COVID-19, including record-high levels for children. In my State of Maryland, we have encountered a new record-high hospitalization level every day since December 29. For many patients, the severity and mortality rates are lower due to higher vaccination levels and better treatments gleaned from our experience in battling COVID-19 so far, but these high hospitalization rates are straining an already overburdened system.

As we continue fighting the pandemic, in addition to other diseases and illnesses, timely access to medications is essential for our healthcare providers and their patients. The Drug Shortages Shelf Life Extension Act would require FDA to update guidance tied to manufacturer testing of the shelf life of prescription drug and to report to Congress on actions taken to update the shelf life dates of relevant drugs. Shelf life expiration dates are established through regulations governing prescription drug stability testing, which need to be reexamined since they have not been amended since 1981. I look forward to working with the Biden administration as it implements this essential legislation and related regulations.

I urge my colleagues to join Senator COLLINS and me in support of the Drug Shortages Shelf Life Extension Act to improve access to essential prescription drugs and to prevent or mitigate future drug shortages. No one should have to go without essential prescriptions drugs when usable supplies are available but have potentially inaccurate use-by dates stamped on their box or bottle.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 487—CONGRATULATING THE UNIVERSITY OF WISCONSIN BADGERS ON WINNING THE 2021 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S VOLLEYBALL CHAMPIONSHIP

Ms. BALDWIN (for herself and Mr. JOHNSON) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 487

Whereas, on December 18, 2021, the University of Wisconsin Badgers won the 2021 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") Division I Women's Volleyball Championship and finished the season with an impressive record of 31 wins and 3 losses;

Whereas the University of Wisconsin women's volleyball team defeated the University of Nebraska Cornhuskers in a thrilling 5-set

match to win the program's first ever national championship;

Whereas the following players should be congratulated for their hard work and dedication in representing the University of Wisconsin with dignity: Izzy Ashburn, Lauren Barnes, Joslyn Boyer, Giorgia Civita, Jade Demps, Liz Gregorski, MJ Hammill, Danielle Hart, Sydney Hilley, Lauren Jardine, Grace Loberg, Anna MacDonald, Julia Orzol, Sydney Reed, Dana Rettke, Devyn Robinson, Anna Smrek, and Julia Wohler;

Whereas the Badgers were led by an outstanding coaching and support staff, including Kelly Sheffield, Brittany Dildine, Gary White, Jessica Williams, Annemarie Hickey, Mackenzie Long, Kristen Walker, Kevin Schultz, Katie Smith, Diane Nordstrom, and Bianca Miceli;

Whereas the championship point was scored by senior middle blocker Dana Rettke, the 2021 National Player of the Year and the only 5-time American Volleyball Coaches Association (referred to in this preamble as the "AVCA") First-Team All-American in NCAA Volleyball history;

Whereas freshman opposite hitter Anna Smrek was named the Most Outstanding Player of the NCAA National Championship, while Dana Rettke and Sydney Hilley were also named to the NCAA National Championship All-Tournament Team;

Whereas senior setter Sydney Hilley was also selected as the 2021 Senior CLASS Award recipient as the most outstanding senior student-athlete in Division I women's volleyball;

Whereas Assistant Coach Brittany Dildine was named the AVCA Division I National Assistant Coach of the Year;

Whereas the University of Wisconsin women's volleyball team—

(1) captured the 2021 Big Ten conference championship for the third consecutive season;

(2) featured 3 players who earned AVCA All-American honors at the end of the season, Dana Rettke, Sydney Hilley, and Lauren Barnes; and

(3) has had a history of players, past and present, who also represent the University of Wisconsin on the international stage;

Whereas the players and staff persevered through the challenges presented by the COVID-19 pandemic; and

Whereas the Badger women's volleyball team has brought great pride and honor to the University of Wisconsin and its alumni, loyal fans, and the State of Wisconsin: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Wisconsin Badgers on winning the 2021 National Collegiate Athletic Association Division I Women's Volleyball Championship;

(2) recognizes the achievements of the players, coaches, and staff who contributed to this championship season; and

(3) respectfully requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the Chancellor of the University of Wisconsin, Rebecca Blank;

(B) the Athletic Director of the University of Wisconsin, Chris McIntosh; and

(C) the Head Coach of the University of Wisconsin volleyball team, Kelly Sheffield.

SENATE RESOLUTION 488—CONGRATULATING THE UNIVERSITY OF WISCONSIN-EAU CLAIRE BUGOLDS ON WINNING THE 2021 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION III WOMEN'S VOLLEYBALL CHAMPIONSHIP

Ms. BALDWIN (for herself and Mr. JOHNSON) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 488

Whereas, on November 20, 2021, the University of Wisconsin-Eau Claire Bugolds won the 2021 National Collegiate Athletic Association Division III Women's Volleyball Championship and finished the season with an impressive record of 35 wins and 3 losses;

Whereas the University of Wisconsin-Eau Claire women's volleyball team defeated the Calvin University Knights in 3 sets to win the program's first ever national championship;

Whereas Ava Aldag, Makenzie Bachmann, Kendra Baierl, Arianna Barrett, Sophia Brown, Sheridan Dettmann, Hannah Flottmeyer, Sarah Kuchcik, Emma Macken, Libby Macken, Charlie Nelson, Clara Olson, Kelly Page, Olivia Rooney, Maren Saunders, Taylor Scalia, Erika Stensland, Victoria Van Dan, Abby Volk, and Jordan Witzel worked hard, showed great dedication, and represented the University of Wisconsin-Eau Claire with dignity;

Whereas the coaching and support staff of the Bugolds, Kim Wudi, Alex Berger, Jodi Risen, Katrina Raskie, Dylan Graber, Robin Baker, Nick Hoven, Rachel Delanois, and Erin Sparks, guided the team throughout the season;

Whereas Assistant Coach Jodi Risen was named the American Volleyball Coaches Association Division III Assistant Coach of the Year;

Whereas the University of Wisconsin-Eau Claire women's volleyball team—

(1) also captured the 2021 Wisconsin Intercollegiate Athletic Conference regular season and tournament championships; and

(2) featured 3 players who earned American Volleyball Coaches Association All-American honors at the end of the season, specifically—

(A) Kendra Baierl;

(B) Charlie Nelson; and

(C) Arianna Barrett;

Whereas the players and staff of the Bugold women's volleyball team persevered through the challenges presented by the COVID-19 pandemic; and

Whereas the Bugold women's volleyball team has brought great pride and honor to the University of Wisconsin-Eau Claire and its alumni, loyal fans, and the State of Wisconsin: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Wisconsin-Eau Claire Bugolds on winning the 2021 National Collegiate Athletic Association Division III Women's Volleyball Championship;

(2) recognizes the achievements of the players, coaches, and staff who contributed to this championship season; and

(3) respectfully requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the Chancellor of the University of Wisconsin-Eau Claire, James C. Schmidt;

(B) the Athletic Director of the University of Wisconsin-Eau Claire, Dan Schumacher; and

(C) the Head Coach of the University of Wisconsin-Eau Claire women's volleyball team, Kim Wudi.

**SENATE RESOLUTION 489—COM-
MENDING THE ACTIONS OF
CUBAN HUMAN RIGHTS AND DE-
MOCRACY ACTIVIST JOSE DAN-
IEL FERRER GARCIA, AND ALL
PRO-DEMOCRACY AND HUMAN
RIGHTS ACTIVISTS, IN DEMAND-
ING FUNDAMENTAL CIVIL LIB-
ERTIES IN CUBA AND SPEAKING
OUT AGAINST CUBA'S BRUTAL,
TOTALITARIAN COMMUNIST RE-
GIME**

Mr. SCOTT of Florida (for himself, Mr. BRAUN, and Mr. RUBIO) submitted the following resolution; which was considered and agreed to:

S. RES. 489

Whereas on July 11, 2021, protestors in more than 40 cities marched in the streets of Cuba to exercise their fundamental right to peacefully assemble and express their opposition to the Cuban regime, resulting in the largest anti-government demonstration on the island in decades;

Whereas the Cuban protestors, in a clear message—

(1) called for an end to communism, censorship, and oppression in Cuba; and

(2) demanded basic human rights and their God-given freedom;

Whereas during the July 2021 protests, in a crude and savage effort to silence the Cuban people, the Communist party—

(1) deployed a wave of terror throughout Cuba by unleashing its secret police and military forces on the peaceful protestors;

(2) harassed and threatened men, women, and children, some of whom were in their homes;

(3) abducted and tortured civil society leaders; and

(4) detained more than 1,300 Cubans, according to media reports;

Whereas Felix Navarro Rodriguez, a renowned pro-democracy activist who was arrested during the "Black Spring" of 2003, is the President of the Pedro Luis Boitel Abraham Democracy Party, and is a member of the Executive Secretariat of the Democratic Action Unity Table (MUAD), was arrested, then charged with the alleged crime of "attack and public disorder", after merely appearing at a police unit in Cuba to inquire about the status of members of his group who were detained during the July 11 protest;

Whereas in August 2021, Felix Navarro Rodriguez, in protest of his unlawful arrest, the terrible conditions in which he was being held and the cruelty he suffered in prison, went on a hunger strike for 30 days, remains isolated, is in a delicate state of health, and is restricted from communicating with his family;

Whereas José Daniel Ferrer Garcia, leader of the Patriotic Union of Cuba (UNPACU), is a Cuban human rights and democracy activist, who has worked incessantly to promote fundamental civil liberties for the Cuban people;

Whereas José Daniel Ferrer Garcia, who was born in Santiago de Cuba on July 29, 1970, has dedicated most of his adult life in peaceful protest against Cuba's brutal and totalitarian Communist dictatorship to ensure that Cubans are allowed to have a voice in matters concerning their own country;

Whereas José Daniel Ferrer Garcia was among the hundreds of activists who were unlawfully detained by the Cuban regime

and has been unjustly imprisoned in isolation for nearly 180 days, where he has been subjected to physical and psychological torture by the brutal Communist Cuban regime;

Whereas according to José Daniel Ferrer Garcia's family, his health is dire, he is suffering from severe headaches, mouth bleeding, malnutrition, bouts of coughing, and the inability to sleep, all of which was caused by the cruel torture and inhumane treatment he received from the Cuban regime;

Whereas a host of other pro-democracy activists have been imprisoned solely for peacefully exercising their rights to freedom of expression, including Ciro Alexis Casanovas Pérez, Loreto Hernández García and wife, Donaida Pérez Paseiro, Didier Eduardo Almagro Toledo, Nidia Bienes Paseiro, Demis Valdés Sarduy, Misael Díaz Paseiro, Arianna López Roque, twin sisters Lisdani Rodríguez Isaac and Lisdiani Rodríguez Isaac, and Ivan Hernandez Carrillo;

Whereas during the week of Christmas 2021, many of these peaceful demonstrators were convicted on charges of sedition and sentenced to decades in prison just for demanding basic human rights; and

Whereas the totalitarian regime is terrified of brave and courageous leaders who stand resolute in fighting for a free Cuba, and will persecute, kidnap, torture, or kill anyone who stands up against their tyranny:

Now, therefore, be it

Resolved, That the Senate—

(1) condemns the repression of José Daniel Ferrer Garcia and all brave Cuban activists, and demands their immediate and unconditional release from prison;

(2) condemns the brutal torture and inhumane treatment of José Daniel Ferrer Garcia by the Cuban regime and calls for an immediate humanitarian medical visit by an independent human rights organization to him and to all political prisoners who have been unjustly and illegally detained by the Cuban regime since July 11, 2021;

(3) condemns Cuba's brutal totalitarian Communist dictatorship and demands an end to the suffering of the Cuban people and the impunity of the Cuban regime's human rights abusers;

(4) calls for the international community to stand with the Cuban people and against Cuba's totalitarian Communist regime for infringing on the freedom of thought, will, expression, assembly, and prosperity of the Cuban people; and

(5) commends the courage of the pro-democracy movement and all freedom activists in Cuba for risking everything to bring freedom to the Cuban people.

**AUTHORITY FOR COMMITTEES TO
MEET**

Mr. DURBIN. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, January 12, 2022, at 3:30 p.m., to conduct a business meeting.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, January 12, 2022, at 2:45 p.m., to conduct a business meeting on nominations.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, January 12, 2022, at 2:45 p.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, January 12, 2022, at 9 a.m., to conduct a hearing on nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, January 12, 2022, at 9 a.m., to conduct a business meeting.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, January 12, 2022, to conduct a hearing on nominations.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, January 12, 2022, at 2 p.m., to conduct a hearing on a nomination.

**NOTICE: REGISTRATION OF MASS
MAILINGS**

The filing date for the 2021 fourth quarter Mass Mailing report is Tuesday, January 25, 2022. An electronic option is available on Webster that will allow forms to be submitted via a fillable PDF document. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations or negative reports can be submitted electronically at http://webster.senate.gov/secretary/mass_mailing_form.htm or e-mailed to OPR_MassMailings@sec.senate.gov.

For further information, please contact the Senate Office of Public Records at (202) 224-0322.

**MEASURE READ THE FIRST
TIME—S. 3488**

Mr. OSSOFF. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 3488) to counter the aggression of the Russian Federation against Ukraine and Eastern European allies, to expedite security assistance to Ukraine to bolster Ukraine's

defense capabilities, and to impose sanctions relating to the actions of the Russian Federation with respect to Ukraine, and for other purposes.

Mr. OSSOFF. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY,
JANUARY 13, 2022

Mr. OSSOFF. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m., Thursday, January

13; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to the consideration of S. 3436, as provided under the previous order; further, that the Senate recess from 12:45 p.m. until 2:15 p.m.; that at 2:15 p.m., there be 30 minutes for debate, equally divided between the two leaders or their designees, and that upon the use or yielding back of that time, the Senate vote on passage of S. 3436, as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10 A.M. TOMORROW

Mr. OSSOFF. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 7:04 p.m., recessed until Thursday, January 13, 2022, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 12, 2022:

DEPARTMENT OF TRANSPORTATION

AMITABHA BOSE, OF NEW JERSEY, TO BE ADMINISTRATOR OF THE FEDERAL RAILROAD ADMINISTRATION.

THE JUDICIARY

GABRIEL P. SANCHEZ, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.